CITY OF BATAVIA BUSINESS MINUTES FEBRUARY 13, 2023

The regular business meeting of the City Council was held Monday, February 13, 2023 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 Canale, McGinnis, Briggs, Schmidt, Richmond and Bialkowski. Councilmembers Viele and Pacino were absent.

City staff in attendance were Erik Fix, Chief Heubusch, Brett Frank, Lisa Neary and Krista Galdun.

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

The minutes from the January 2023 meetings and the December 2022 financials were approved.

The Council President assigned the regular agenda items.

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Communications

The Batavia Business Improvement District submitted an application for a Beer Walk in downtown Batavia on Saturday, February 25th from 4-8pm stopping at 21 downtown businesses. Council approved.

Care-A-Van Ministries requested to hold cookouts in Austin Park on Thursdays in June through August (starting June 1st) at 5pm. Council approved.

Living Waters submitted an application for a community outreach in Austin Park on Sunday, July 16th from 10:30am – 5pm. Council approved.

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Council President's Report

Council President Jankowski announced the next City Council Conference meeting to be held on Monday, February 27, 2023 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 he continued to work on a variety of matters but there was nothing specific to report at that time.

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City Manager's Report

None.

Rachael Tabelski noted that the diesel tank behind the fire department was removed and the soil replaced and would be asking to use ARPA funds to cover that cost. She noted that Jackson Square should be ready to bid in May and design work was almost complete for the new police department. Mrs. Tabelski explained that there were final designs for the City Centre entryways and looking for cost estimates. She also noted that the Jackson Street water project should be out to bid soon.

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Committee Reports

None.

Public Comments

None.

Council Responses to Public Comments

None.

Unfinished Business

#9-2023

A RESOLUTION TO INTRODUCE A LOCAL LAW TO OVERRIDE THE TAX CAP LIMIT FOR THE BUDGET FISCAL YEAR COMMENCING APRIL 1, 2023 AND TO SCHEDULE A PUBLIC HEARING

Motion of Councilperson McGinnis

WHEREAS, according to New York State's Property Tax cap legislation, if a City government decides to adopt a budget with a property tax levy that exceeds the level set by the State, the City government must pass a local law to override that cap; and

WHEREAS, adopting said local law is not predictive of the final tax levy but will provide the City of Batavia flexibility to exceed the Property Tax Cap if it is deemed necessary, and to ensure that any State re-calculation of the applicable limit will not make the City inadvertently out of compliance.

NOW, THEREFORE, BE IT RESOLVED, that Local Law No. 1 of 2023 entitled "LOCAL LAW NO. 1 OF THE YEAR 2023 CITY OF BATAVIA A LOCAL LAW AUTHORIZING A PROPERTY TAX LEVY IN EXCESS OF THE LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW § 3-C" 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 will hold a public hearing on said proposed Local Law in the Council Room, Second Floor, One Batavia City Centre, Batavia New York, at 7:00 p.m. on Monday, February 27th, 2023; 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 Batavia of said public hearing at least three (3) days prior thereto.

Seconded by Councilperson Briggs and on roll call approved 7-0.

LOCAL LAW NO. 1 OF THE YEAR 2023 CITY OF BATAVIA

A LOCAL LAW AUTHORIZING A PROPERTY TAX LEVY IN EXCESS OF THE LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW § 3-C

Be it enacted, by the City Council of the City of Batavia, New York, as follows:

Section 1. Legislative Intent

It is the intent of this Local Law to override the limit on the amount of real property taxes that may be levied by the City of Batavia, County of Genesee, State of New York (hereinafter "City of Batavia" pursuant to General Municipal Law § 3-c, and to allow the City of Batavia to adopt a budget for the fiscal year commencing April 01, 2023 that requires a real property tax levy in excess of the "tax levy limit" as defined by General Municipal Law § 3-c.

Section 2. Authority

This local law is adopted pursuant to Subdivision 5 of General Municipal Law § 3-c, which expressly authorizes the City Council to override the property tax cap for the next fiscal year by the adoption of a local law approved by a vote of sixty percent (60%) of the City Council.

Section 3. Tax Levy Limit Override

The City Council of the City of Batavia is hereby authorized to adopt a budget for the fiscal year commencing April 1, 2023 that may require a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law § 3-c.

Section 4. Severability

If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court's order or judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgement or order shall be rendered.

Section 5. Effective date

This local law shall take effect immediately upon filing with the Secretary of State.

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10-2023 A RESOLUTION INTRODUCING 2023-2024 BUDGET ORDINANCE AND SCHEDULING A PUBLIC HEARING

Motion of Councilmember Canale

WHEREAS, the City Manager prepared and submitted to the City Council a Proposed Budget for the 2023-2024 fiscal year on January 9, 2023 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 27, 2023 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 2023-2024 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 27, 2023; 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 McGinnis and on roll call approved 7-0.

ORDINANCE #001-2023

AN ORDINANCE ADOPTING THE 2023-2024 BUDGET AND DETERMINING THE AMOUNT OF TAX TO BE LEVIED ON ALL REAL PROPERTY FOR THE 2023-2024 FISCAL YEAR

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

SECTION 1. The proposed Budget for 2023-2024, submitted by the City Manager pursuant to Sections 16.3, 16.4, and 16.5 of the City Charter on January 9, 2023, setting forth the estimates of revenues and expenditures for the fiscal year 2023-2024 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 2023-2024.

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 2023-2024 is \$6,600,000.

SECTION 3. The sum of \$6,600,000 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 2023-2024, 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 2023-2024.

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, 2023.

Budget Summaries

General Fund	
General Fund – Reserves	\$ 588,667.00
City Council	\$ 62,620.00
City Manager	\$ 208,975.00
Finance	\$ 129,441.00
Legal Services	\$ 225,160.00
General Fund - Contingency	\$ 371,480.00
Community Development	\$ 6,000.00
Economic Development	\$ 115,498.00
Council on Arts	\$ 6,500.00
Community Celebrations	\$ 12,932.00
General Fund - Debt Service/Bonds	\$ 353,572.00
General Fund – Interfund Transfer	\$ 3,073,660.00
General Fund – Transfer to Cap Proj	\$ 65,000.00
Administrative Services	\$ 259,603.00
Clerk-Treasurer	\$ 145,097.00
Elections	\$.00
Control of Dogs	\$ 1,403.00
Vital Statistics	\$ 20,909.00
Assessment	\$ 143,560.00
Personnel	\$ 280,430.00
Information Services	\$ 107,500.00
Youth Bureau - Summer Recreation	\$ 78,846.00
Youth Bureau - Youth Service	\$ 130,744.00
Engineering	\$ 12,750.00
Department of Public Works	\$ 96,140.00
City Facilities – Facilities	\$ 282,369.00
Facilities – Ice Rink	\$ 15,340.00
Facilities – Dwyer	\$ 31,750.00
Inspection	\$ 413,907.00
Public Works BOM Admin	\$ 130,518.00
Street Maintenance	\$ 552,270.00
CHIPS Perm Improv Highway	\$ 264,174.00
Public Works Garage	\$ 540,935.00
Snow Removal	\$ 472,934.00
Street Lighting Traffic Signals	\$ 253,660.00

Parking Lots	\$ 205,000.00
Parks	\$ 548,060.00
Storm Sewer – BOM	\$ 173,620.00
Street Cleaning	\$ 125,840.00
Historic Preservation	\$ 6,290.00
Planning and Zoning	\$ 1,300.00
Storm Sewer – Water-WW	\$ 30,300.00
Refuse and Recycling	\$ 107,980.00
Police	\$ 4,323,847.00
Emergency Response Team	\$ 32,480.00
Police – Net	\$ 4,850.00
Community Policing & Events	\$ 12,440.00
K-9	\$ 950.00
Fire	\$ 4,410,287.00
State Internal EMS Program	\$ 2,250.00
State External EMS Program	\$ 9,625.00
Non-State EMS Program	\$ 12,810.00
TOTAL GENERAL FUND	\$ 19,462,273.00

Water, Wastewater & Workers Comp Funds		PROPOSED 2023/24
Water Fund – Reserves Water Fund Contingency Water Administration Pump Station and Filtration Water Distribution	\$ \$ \$ \$	79,730.00 5,050.00 2,788,861.00 1,619,377.00 478,330.00
Water Fund – Debt Srvc - Bonds Water Fund – Debt Service - BAN Water Fund – Interfund Transfer TOTAL WATER	N \$ 15,000.00	
WW Fund – Reserves Wastewater Administration WW Contingency WW Fund Sanitary Sewers BOM WW Fund Sanitary Sewer Water/WW WW Fund Wasterwater Treatment	\$ \$ \$ \$ \$	1,158,918.00 534,069.00 100,000.00 476,430.00 221,170.00 1,212,130.00

WW Fund – Debt Service - Bonds	\$	386,393.00
WW Fund – Interfund Transfer	\$	296,540.00
TOTAL WASTEWATER	\$	4,385,650.00
Workers' Compensation	\$	245,560.00
TOTAL WORKER'S COMP	\$	245,560.00
TOTAL WATER, WASTEWATER, WORKERS' COMP	\$	10,494,444.00
STORY CHAINING O THE AT THE		
NSURANCE FUNDS		
NSURANCE FUNDS Administration	\$	218,235.00
NSURANCE FUNDS	\$ \$	218,235.00 34,990.00
NSURANCE FUNDS Administration		·
City Centre Fund-Interfund Transfer	\$	34,990.00
NSURANCE FUNDS Administration City Centre Fund-Interfund Transfer	\$	34,990.00
NSURANCE FUNDS Administration City Centre Fund-Interfund Transfer TOTAL CITY CENTRE	\$	34,990.00 253,225.00

TOTAL ALL FUNDS

INSURANCE

\$ 33,588,472 * * *

\$ 3,631,755.00

#11- 2023

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 Councilperson McGinnis

TOTAL CITY CENTRE & HEALTH

BE IT RESOLVED, that Local Law No. 2 of the Year 2023 entitled "LOCAL LAW NO. 2 OF THE YEAR 2023 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 27, 2023; 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 Councilperson Richmond and on roll call approved 7-0.

LOCAL LAW NO. 2 OF THE YEAR 2023 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

\$5.97 [\$6.27] per 1,000 gallons

Town Served Directly by the City – Building and Hydrants

\$7.65 [\$7.92] 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, 2022 as billed on and after June 1, 2022 [April 1, 2023 billed on and after June 1, 2023]

C. Quarterly meter service and availability charge for meters:

Type	Size in Inches	Quarterly Fee
Disc	5/8	\$ 11.62 [\$15.45]
Disc	3/4	\$ 14.71 [\$19.55]

Disc	1	\$ 15.50 [\$20.60]
Disc	1 ½	\$ 26.33 [\$35.00]
Disc	2	\$36.56 [\$48.60]
Compound	2	\$30.97 [\$41.17]
Compound	3	\$117.78 [\$156.58]
Compound	4	\$ 187.48 [\$294.24]
Compound	6	\$ 283.21 [\$376.49]
Turbo	3	\$ 69.69 [\$92.65]
Turbo	4	\$ 117.78 [\$156.58]
Fireline	4	\$ 117.78 [\$156.58]
Fireline	6	\$ 187.48 [\$249.24]
Fireline	8	\$ 261.34 [\$347.43]
Fireline	10	\$341.28 [\$453.70]

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	\$8.09 [\$12.97]
Disc	3/4	\$10.25 [\$16.44]
Disc	1	\$10.79 [\$17.30]
Disc	1 ½	\$18.34 [\$29.41]
Disc	2	\$25.47 [\$40.83]
Compound	2	\$21.58 [\$34.60]
Compound	3	\$82.05 [\$131.56]
Compound	4	\$130.60 [\$209.39]
Compound	6	\$197.30 [\$316.32]
Turbo	3	\$48.55 [\$77.84]
Turbo	4	\$82.05 [\$131.56]
Fireline	4	\$82.05 [\$131.56]
Fireline	6	\$130.60 [\$209.39]
Fireline	8	\$182.06 [\$291.90]
Fireline	10	\$237.75 [\$381.19]

Deletions designated by strikeout Additions designated as [brackets]

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#12-2023 A RESOLUTION ADOPTING THE CITY OF BATAVIA STRATEGIC PLAN FOR FISCAL YEARS 23/24

Motion of Councilmember Richmond

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 15, 2023 the City Council was presented with the proposed City of Batavia Strategic Plan for 2023-2028 that contained ongoing and new initiatives for the upcoming and future fiscal years; and

WHEREAS, the Strategic Plan for Fiscal Year 23/24 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 23/24.

Seconded by Councilmember Schmidt and on roll call approved 7-0.

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#13-2023 Ari ish and update cuppe

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

Motion of Councilmember Canale

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.

PROJECT COST

FUNDING SOURCE

FISCAL YEAR

General Fund

PROJECT

Facilities Capital Plan – Bureau of Maintenance /Fire		Facilities Reserve \$1,100,000 ARPA \$700,000	21/22/23
Department	\$ 1,855,000	FEMA Grant \$55,000	
ERP Software Conversion Project	\$ 45,000 \$ 750,000	Admin. Reserves Finance	19/20/21/22/23
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	DRI- DOS Grant \$750,000 National Grid Grant\$225,000	21/22/23
LED NYPA Street Light Conversion	\$1,700,000	Finance	21/22/23
Police Facility	\$15,000,000	Finance\$12.5M Grant \$2.5M	21/22/23/24
Court Street Parking Lot	\$205,000	Reserve	23/24
Bank Street Streetscape	\$1,113,920	Grant \$944,934 Reserve \$168,986	23/24/25
Ice Rink Chiller and Zamboni	\$1,500,000	Finance	23/24/25

Water Fund

Water Fund			
Cohocton Water Line/ NMROW/ Walnut	\$2,650,000	Finance	22/23/24
Refurbish Water Treatment Plant Filters	\$1,500,000	County WIIA Grant	21/22
		NBRC Grant \$334,000	
Bank Street 8" Water Project	\$418,000	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	\$2,410,000	County WIIA Grant	22/23/24
Lime and Ferric Feeders- Water Plant	\$1,000,000	County WIIA Grant	22/23/24

Backwash Pump Improvements- Water Plant	\$350,000	County WIIA Grant	22/23/24
Heating, Ventilation, Roof, Tunnel and Electrical- Water Plant	\$360,000	County WIIA Grant City Reserves	22/23/24
Low Lift Pump Installation	\$300,000	County WIIA Grant	22/23/24
Water Valve Replacement	\$420,000	Reserves/ Finance	23/24
Water Meter Replacement	\$1,987,000	Grant Funding/ Finance	23/24/25/26

Sewer Fund

Bypass System Repairs	\$500,000	Reserves	22/23/24/25
Maple and Mill Street Sanitary	\$1,000,000	Finance	22/23/24
Sewer Lining Improvements	\$207,000	Reserves	22/23/24
Aerated Pond No. 2 Sludge Removal	\$2,000,000	Reserves	23/24

City Centre Fund

		DRI Grant – Empire	
City Centre DRI	\$1,000,000	State Development	21/22/23

Second by Councilmember Briggs and on roll call approved 7-0.

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#14-2023

A RESOLUTION TO AMEND THE 2022-2023 POLICE DEPARTMENT BUDGET TO REFLECT THE RECEIPT OF A STOP-DWI GRANT IN THE AMOUNT OF \$17,481 TO ADDRESS THE CRIMES OF DRIVING WHILE INTOXICATED AND/OR DRIVING WHILE ABILITY IMPAIRED BY DRUGS

Motion of Councilperson Schmidt

WHEREAS, the City of Batavia Police Department has received additional grant funding in the amount of \$17,481 from THE GENESEE COUNTY STOP-DWI PROGRAM TO COMBAT IMPAIRED DRIVING BY FUNDING SPECIALIZED PATROL FUNCTIONS; 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 budget to cover various initiatives to combat alcohol and drug related traffic offenses:

Effective February 14, 2023 amend the 2022-23 budget:

Increase expenditure accounts	
A.04.3120.3120 199-100001	\$ 10,000.00
A.04.3120.3120.299-100001	\$ 1481.00
A.04.3120.3120.499.100001	\$ 6000.00
Increase revenue accounts	
A.00.0000.0000 3389-100001	\$ 17,481.00

Seconded by Councilperson Richmond and on roll call approved 7-0.

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#15-2023

A RESOLUTION TO DECLARE LEAD AGENCY STATUS AND DETERMINE THE BATAVIA POLICE FACILITY PROJECT AN UNLISTED ACTION

Motion of Councilmember Bialkowski

WHEREAS, that in accordance with the New York State Environmental Quality Review (SEQR) regulations, the City Council of the City of Batavia hereby announces its intent to serve as Lead Agency; and

WHEREAS, the City of Batavia will conduct an environmental review of the redevelopment of an existing parking lot at the intersection of Alva Place and Bank Street in the City of Batavia into an approximately 20,000 square foot Police Department Facility with secure parking area; and

WHEREAS, the City Council of the City of Batavia has commissioned LaBella Associates DPC to prepare Part 1 of the Environmental Assessment Form regarding the project.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Batavia has determined that the proposed action is an Unlisted Action as defined under SEQR.

BE IT FURTHER RESOLVED, that City Council will notify the Involved and Interested Agencies of its intention to act as Lead Agency for this project and will provide them with a copy of the completed Part 1 of the Short Environmental Assessment Form for review during the 30-day comment period.

Second by Councilmember Schmidt and on roll call approved 7-0.

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#16-2023

A RESOLUTION TO ENTER INTO AN INTER MUNICIPAL AGREEMENT WITH GENESEE COUNTY TO APPLY FOR A WATER INFRASTRUCTURE IMPROVEMENT GRANT

Motion of Councilmember Schmidt

WHEREAS, on November 10, 2021, the County and the City entered into an Intermunicipal Agreement to jointly apply for a Water Infrastructure Improvement Agency Grant regarding the City of Batavia Treatment Plant and its related facilities; and

WHEREAS, the parties hereby agree to add the following additional financial terms to the Intermunicipal Agreement; and

WHEREAS, the terms include the City contracting directly with vendors and then submitting reviewing and approving invoices that will be sent to the County for payment directly to the vendors; and

WHEREAS, the City will claim and receive reimbursement from WIIA which the City will then forward payment to the County within thirty (30) days of receipt of the funds.

NOW THEREFORE, BE IT RESOLVED, that the City of Batavia City Council authorizes the City Council President to execute the addendum to the intermunicipal agreement between the City and Genesee County to jointly apply for a water infrastructure improvement grant.

Seconded by Councilmember McGinnis and on roll call approved 7-0.

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#17-2023

RESOLUTION TO DECLARE DWYER STADIUM EQUIPMENT SURPLUS FOR THE PURPOSE OF SELLING AND DISPOSING

Motion of Councilperson Richmond

WHEREAS, the Bureau of Public Works has declared the equipment listed below surplus; and

WHEREAS, the City of Batavia requires a surplus declaration of property to be made prior to the sale of equipment to Can-USA Sports LLC for the price of \$6,000.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Batavia that the City Manager is authorized to declare the following as surplus for the purpose of sale:

• 2015 John Deere 4 x 2 Gator vin #1m04X2XDHFM101357

- 2009 Jacobson LF 1800 2 x 4 (Ride on Reel Mower) vin #6795501725
- 2012 John Deere 1200 Hydro (Bunker Rake) vin #1TC1200HJCT050097
- 2010 Toro Groundsmaster 1000 (Walk Behind Reel Mower) vin #EX130DRN7129319

Seconded by Councilperson Bialkowski and on roll call approved 7-0.

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#18-2023 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

Sharon Burkel December 31, 2025

Board of Assessment Review

Robert Gerace September 30, 2027

Seconded by Councilmember Canale and on roll call approved 7-0.

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Meeting adjourned at 7:21 PM.

Respectfully submitted,

Heidi J Parker Clerk-Treasurer