

CITY OF BATAVIA – CONFERENCE MINUTES

MONDAY, JUNE 26, 2023

Present were Council President Jankowski and Councilmembers Viele, Twichell, Canale, Briggs, Schmidt, Bialkowski and Richmond. Councilmember McGinnis was absent.

In attendance from the City were Chief Heubusch, Erik Fix, Brett Frank, Tom Phelps, Scott Allen, and Krista Galdun. Tammy Hathaway was present from the BDC.

Call to Order

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

Public Comments

Bob Gray, 8922 Fargo Rd, Stafford, was there representing Friends of the Rink and was supporting the replacement of the ice rink chiller. He gave some background about the rink and noted that the chiller is vital to its operations. He explained that games played at the rink bring in families from out of town and it's used by youth teams, men's leagues, high schools, and open skate for the public. He also noted that other events are taking place at the rink besides skating during the off-season. He invited Council to take a tour of the rink to see what improvements had been made and to see the importance of getting the new chiller to keep the rink going.

John Roach, 116 Grandview Terr, noted that as long as the City decided to own and operate an ice rink, the chiller replacement is a no-brainer. He also asked if there was any way the IT department could make the online survey more user friendly. He explained that the survey has to be printed, completed, and returned to the City but it would the City would probably get better results if people were able to complete and submit it online.

Tim Sprague, 210 Naramore Dr, representing the Batavia Ramparts, supported the ice rink upgrades. He noted there are over 200 kids who play and have been very successful. He shared that hockey got him through a difficult time in his life after losing his mom giving him a place to go. He noted that a lot of families come from other communities and it's not just Batavia supporting and using the rink. He felt that the rink has grown a lot lately and wanted to keep it going. He added that the Ramparts support the rink upgrades.

Council Response to Public Comments

Councilmember Viele thanked the Gray family for what they are doing for the rink and noted they have his full support. He wanted to know what Council could do to expedite the process. Mrs. Tabela noted that there is a timeline for the grant that would be discussed later in the agenda but the City did have the money in the general fund to make the bond payments. Councilmember Canale noted that the excitement and passion from the speakers was real, parents are saying that the rink is unbelievable, and wanted to keep

the ball rolling. Councilmember Bialkowski noted that the success of the rink was a testament to local control meaning local operators with local ties. Councilmember Richmond asked if the survey could be done electronically. Mr. Fix noted that the form was supplied by the state but they were working on a way to have it completed electronically. Mrs. Tabelski added that sometimes the agencies want original signatures and thus the need for the paper form but were working to make it easier. Council President Jankowski thanked the Gray family for all the effort they have put into the rink.

Communications

GCASA requested to hold an overdose awareness day on Wednesday, August 30th from 4-7pm in Austin Park. There would be speakers, resources and a band. Council approved.

Council President Report

Council President Jankowski announced the next City Council meeting to be held on Monday, July 10, 2023 at 7:00 pm at the City Hall Council Board Room, 2nd Floor, City Centre.

Presentations

a. SRO Presentation

- School Resource Officers Stevens and Borchert gave a presentation about the SRO position. They explained what they do on a regular basis and the requirements to be an SRO including their annual training. They listed the various events they participate in, extracurricular events they attend including numerous sporting events, dances, graduation and more. SROs Borchert and Stevens reviewed the different types of incidents they have handled at the schools and went over the benefits of having a second SRO this year. They noted that this allows them to become more familiar with the kids, staff, and building details by being able to focus on two or three schools instead of all five. Councilmember Canale asked if they cover all schools each day. SRO Stevens explained most of their day is spent at the high school and middle school but visit the others on an as needed basis.

b. Ice Rink Chiller

- Mrs. Tabelski reviewed the history of the ice rink and introduced Matt Gray who owns Batavia Sports Facility Management, LLC which manages the rink. Mr. Gray noted that he has learned a lot since taking over the rink management and reviewed the investments in and progress with the rink in the first year. He noted that it almost looks new again and it's always been a great hockey arena but emphasized that it's also a city facility and have tried to make it accessible to everyone. He admitted that the arena itself struggles and the staff do their best to keep it running but upgrades are needed. Mrs. Tabelski added that the chiller was identified as needing replacement in 2019 in the Multi Sports Complex study and the City had requested NYPA to examine potential upgrades to the chiller. She noted that the study recommended an evaporative cooler, brine pump motor, and hot water recovery. She suggested replacing the chiller with

CO2 system and highlighted the reasons for that recommendation. She noted that the new chiller would have significant energy efficiencies which would qualify it for NYS grant funding. Mrs. Tabelski then reviewed the financial outlook both with and without grant funding. Councilmember Viele noted that, grant or no grant, it had to be done and Mrs. Tabelski stated that if the City could get the grant, it would be low impact to the general fund. She noted the City could have engineering done before the grant deadline in December but needed a decision from Council about moving forward. She explained that she couldn't promise there would be ice after this year if the new chiller wasn't secured. Councilmember Schmidt felt it was a small investment for the community and the youth. Mrs. Tabelski noted there were three resolutions for discussion on the agenda tonight relating to the chiller to move forward for vote in July. Mr. Gray added that the City staff his staff works with are great.

Public Hearing – CDBG Housing Rehab Grant

Council President Jankowski read the purpose of the public hearing then sought a motion to open the public hearing. Councilmember Viele made a motion to open the public hearing, motion was seconded by Councilmember Richmond and, on roll call, approved 8-0.

There were no speakers signed up in advance but Council President Jankowski asked if anyone in attendance wanted to speak and there was one speaker. Leslie Moma, 113 Summit St, noted that she had experience with these types of grants in Rock Hill, SC and the funding was used to help with neighborhoods. She felt it was needed in Batavia and it does make a difference.

Councilmember Canale made a motion to close the public hearing, the motion was seconded by Councilmember Viele and, on roll call, approved 8-0.

CDBG Housing Rehab Grant Certifying Officer Designation - SEQR

Mrs. Tabelski noted that the grant required the City to move through the SEQR process and appoint a certifying office which would be Mr. Fix. Council agreed to move the item forward.

Labella Grant Writing Services CDBG Housing Rehab Grant – Budget Amendment

Mrs. Tabelski explained that only \$6,000 had been budgeted for grant writing but there are several grants the City wants to go after which will exceed this amount. She asked Council to use VLT money to apply and move forward with this grant. Council agreed to move the item forward.

Labella Grant Writing Services for Austin Park – Budget Amendment

Mrs. Tabelski noted originally ARPA money was going to be used to upgrade Austin Park playground equipment but had to put funds elsewhere so needed to find money from another source. She explained that a grant was found and asking to apply for that grant.

Mr. Fix noted that the grant writing would be \$5,000 and asked to use VLT money. He noted this grant of hopefully \$500,000, would help replace the playground with one that's more inclusive and possibly replace/move the pavilion.

Ice Rink Chiller Capital Project Authorization

Mrs. Tabelski noted that this would be to update the capital project resolution to include the ice rink chiller. Council agreed to move the item forward.

Labella Grant Writing Services for Ice Rink Chiller – Budget Amendment

Mrs. Tabelski noted that the County was giving funds for grant writing and chose this project to pay for. This is to recognize revenue from Genesee County to pay for grant writing services. Council agreed to move the item forward.

Ice Rink Chiller Climate Smart Communities Grant

Mrs. Tabelski noted that this was to ask permission to apply to Climate Smart Communities for a \$1.235 million grant for the ice rink chiller. Council agreed to move the item forward.

Re-Zone Mix Place – Referral to Planning & Development Committee (PDC)

Mrs. Tabelski noted that Ed Smart, owner of 4 Mix Place, was asking to consider rezoning properties on Mix Place and refer to PDC for review. Brett Frank, Director of Public Works, noted that the request would be to rezone 1, 3, and 4 Mix Place from R-1A to R-3 which would bring some properties into compliance with the Code. He also noted that the rezoning would update the wording to include other items and this resolution would just be to refer it to the PDC for their recommendation which would then come back to Council for a vote. Councilmember Canale asked if this change would open the property up to other potential uses in the future like adding apartments behind the main building, for example. Mr. Frank explained that would probably require a special use permit before anything like that could be constructed. Council agreed to move the item forward.

License Agreement Depew / Lancaster Railroad – Jackson Street Water

Mrs. Tabelski stated that this would allow Jackson Street water project to move forward by obtaining a license agreement to be able to go underneath the railroad. Council agreed to move the item forward.

Hart, Norris, Fairmont Street and Sidewalk Capital Project and Budget Amendment

Mrs. Tabelski noted that there was funding left over from NYS funds so wanted to allocate those funds to Hart, Norris and Fairmont streets and sidewalks. Mr. Frank added that some tree removal would be done as well. Councilmember Canale asked if trees are taken down if new ones could be planted. Councilmember Schmidt felt that these streets were better than some in her ward and wondered how it gets determined which streets get done. Mr. Frank noted that they are doing a street inventory currently to determine the severity of all

streets and rank needs based on that. He also noted that they now work on a complete street approach which means streets and sidewalks get done at the same time instead of looking at streets and sidewalks separately. Council agreed to move the item forward.

Main Street Grant Application – CFA

Mrs. Tabelski noted that the Batavia Development Corp (BDC) closed out their last Main Street grant that was awarded in 2019 and completed sewer projects. She explained that they want to apply for the grant again but the City would apply and submit the grant on behalf of the BDC. Council agreed to move the item forward.

BID Board Member Appointment – Tammy Schmidt

Mrs. Tabelski noted that there is one board seat vacant on the BID board that Council appoints and Councilmember Schmidt was recommended for appointment. Council agreed to move the item forward.

RLF Grant – Center Street Smokehouse

Mrs. Tabelski noted that in 2019 Council approved a policy to allow the revolving loan fund to be used as grant funds and has been very successful. She noted this would be for Centre Street Smokehouse to assist with deteriorating bricks, roof issues and 2nd floor patio repairs. Council agreed to move the item forward.

NYS Consolidated Funding Application – NYS Environmental Facilities Corporation

Mrs. Tabelski noted this was to apply again for a grant to assist with water meter replacement. Council agreed to move the item forward.

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MOTION TO ENTER EXECUTIVE SESSION

Motion of Councilmember Viele

WHEREAS, Article 7, Section 105(1)(d), of the Public Officer’s Law permits the legislative body of a municipality to enter into Executive Session to discuss “...proposed, pending or current litigation...”.

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 Briggs and on roll call approved 8-0. Council entered executive session at 8:25 PM and exited at 8:41 PM.

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Conference Meeting adjourned at 8:42 PM.

Respectfully submitted,

**Heidi J Parker
Clerk-Treasurer**

06/26/2023