

CITY OF BATAVIA BUSINESS MINUTES SEPTEMBER 11, 2023

The regular business meeting of the City Council was held Monday, September 11, 2023 at 7:10 PM in the Council Chambers, One Batavia City Centre, Batavia, New York, with Council President Jankowski presiding.

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

Council President Jankowski called the meeting to order at 7:10 PM immediately following the special conference meeting.

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The financials from July 2023 and the minutes from August 2023 were approved.

The Council President assigned the regular agenda items.

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City Attorney's Report

Mr. Van Nest noted there they continue to work on a variety of matters but there was nothing specific to report.

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City Manager's Report

Mrs. Tabelski noted that the audit committee met on August 28th with the auditors and agreed to fund various reserves. She noted that the City would like to increase the fund balance percent from 17.5 to 20% and would bring a resolution to Council to consider in the future.

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Unfinished Business

None.

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New Business

#88-2024

A RESOLUTION TO ENTER INTO AN AGREEMENT WITH JOHN W. DANFORTH COMPANY FOR CONSTRUCTION SERVICES FOR THE WATER TREATMENT PLANT PRIORITY IMPROVEMENTS PROJECT

Motion of Councilmember Schmidt

WHEREAS, The Council of the City of Batavia authorized a project for The Water Treatment Plant Improvement Project; and

WHEREAS, a request for construction bids was released for contractors to construct the project as specified in the project construction documents. The lowest responsible bidder is **John W. Danforth Company of Tonawanda NY**.

NOW, THEREFORE, BE IT RESOLVED, that City Council approves the award of a contract for construction for the Water Treatment Plant Improvement Project to **John W. Danforth Company of Tonawanda NY** in the amount of \$154,400.

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

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#89-2023

A RESOLUTION TO ENTER INTO AN AGREEMENT WITH CONCORD ELECTRIC COOPERATION FOR CONSTRUCTION SERVICES FOR THE WATER TREATMENT PLANT PRIORITY IMPROVEMENTS PROJECT.

Motion of Councilmember McGinnis

WHEREAS, The Council of the City of Batavia authorized a project for The Water Treatment Plant Improvement Project; and

WHEREAS, a request for construction bids was released for contractors to construct the project as specified in the project construction documents. The lowest responsible bidder is Concord Electric Corporation of Rochester, New York.

NOW, THEREFORE, BE IT RESOLVED, that City Council approves the award of a contract for construction for the Water Treatment Plant Improvement Project to Concord Electric Corporation of Rochester, New York in the amount of \$169,000.

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

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#90-2023

A RESOLUTION TO REJECT ALL BIDS FOR CONTRACT FOR SLUDGE REMOVAL SERVICES FOR THE WASTEWATER TREATMENT PLANT PROJECT

Motion of Councilmember Bialkowski

WHEREAS, in accordance with General Municipal Law Section 103, on August 17, 2023 the City of Batavia issued a competitive bid for the removal of and disposal of sludge from Aerated Pond A2 at the City of Batavia's Wastewater Treatment Plant; and

WHEREAS, Two (2) bids were received on September 7, 2023 and GFL Environmental, was the lowest bidder in the amount of \$3,716,245.00 for the removal and disposal of sludge from Pond A2; and

WHEREAS, after review of both bids by the City's engineers and Department of Public Works it has been determined that the lowest bidder has submitted a bid that is inconsistent with bid specifications; and

WHEREAS, the rejection of all bids and re-bidding of the contract "Sludge Removal Services For The Wastewater Treatment Plant" is likely to result in a contract that is consistent with bid specifications prepared by the City's engineers.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Batavia that all bids for contract "Sludge Removal Services For The Wastewater Treatment Plant" submitted on September 7, 2023 are hereby rejected.

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

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#91-2023

RESOLUTION AWARDDING PURCHASE CONTRACTS FOR PERSONAL PROTECTIVE EQUIPMENT

Motion of Councilmember Briggs

WHEREAS, the City has advertised for competitive, sealed bids for the purchase of protective firefighting boots, gloves, and suspenders used for responses to various emergencies; and

WHEREAS, Three (3) companies submitted bids, and one (1) low bidder were identified for the personal protective equipment.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Batavia that a purchase contract valid through December 30th, 2023 for personal protective boots, gloves, and suspenders be awarded to the lowest responsible bidder hereinafter identified.

Company Name	Equipment	Bid Amount
Hi-Tech Fire & Safety Inc.	Honeywell Pro Series 5555 Boot	\$ 402.32/Pair
Dival Fire Safety	Vanguard MK-1 7887K Gloves	\$ 115.00-119.00/Pair
Hi-Tech Fire & Safety Inc.	Bunker Pant Suspenders	\$ 46.83/Pair

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

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#92-2023

A RESOLUTION TO CLOSE OUT CAPITAL PROJECTS

Motion of Councilmember Twichell

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:

#220004	Chandler Ross and Bank
#210004	Richmond Ave Water Main Abandonment

WHEREAS, the City Council authorizes the City Manager to make any recommended transfers and close out the specified capital projects effective August 31, 2023.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Batavia that any above referenced transfer and capital projects be closed effective August 31, 2023.

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

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MOTION TO ENTER EXECUTIVE SESSION

Motion of Council President Jankowski

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...”.

WHEREAS, Article 7, Section 105(1)(h), of the Public Officer’s Law permits the legislative body of a municipality to enter into Executive Session to discuss “...the proposed acquisition, sale, or lease of real property or the proposed acquisition of securities, or sale or

exchange of securities held by such public body, but only when publicity would substantially affect the value thereof...”.

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...”.

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 7-0. Council entered executive session at 7:20 PM and ended at 7:46 PM.

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Meeting adjourned at 7:47 PM.

Respectfully submitted,

**Heidi J Parker
Clerk-Treasurer**