

**AUGUST 19, 2015**  
**REGULAR TOWN BOARD MEETING**

**Town Hall**

**7:00 P.M.**

Greg Post, Supervisor led the pledge to the flag.

**Roll Call**

**Present:** Supervisor Post  
Deputy Supervisor Underhill  
Councilman Lang  
Councilwoman Michalak  
Councilman Zambito

**Others**

**Present:** Town Clerk Morasco  
Sharon White, Planning Board Secretary  
Roger Muehlig, Daily News Reporter  
Mike Pettinella, Buffalo News Reporter

The Supervisor called the meeting to order at 7:09 P.M.

**July 15, 2015 Public Hearing-Oakwood Hill Water District Formation, July 15, 2015 Public Hearing-Oakwood Hill Water District Formation, July 15, 2015 Regular Town Board Meeting and August 12, 2015 Special Town Board Meeting:** Motion Deputy Supervisor Underhill, second Councilwoman Michalak to approve the minutes as written.

**Ayes:** Underhill, Michalak, Zambito, Lang, Post  
**MOTION CARRIED by unanimous vote (5-0)**

**RESOLUTION NO. 173:**

Councilman Lang offered the following:

**TOWN OF BATAVIA**  
**SEQR RESOLUTION - NEGATIVE DECLARATION FOR**  
**TOWN OF BATAVIA ELLICOTT TRAIL PROJECT**

**WHEREAS,**

- 1) In accordance with the New York State Environmental Quality Review regulations (SEQR), the Town Board of the Town of Batavia announced its intent to serve as Lead Agency on July 15, 2015, to conduct an environmental review of the Town of Batavia Ellicott Trail project. The project involves construction of a 4.6 mile long pedestrian trail in the Town and City of Batavia beginning at Route 33 traveling through the City of Batavia on various roads and abandoned railroads and ending at Seven Springs Road in the Town of Batavia. The project includes the construction of a 10 ft. wide stone dust trail on the off road sections and 10 ft wide sidewalk on the on road section.
- 2) The Town Board has determined that, the proposed action is an unlisted action as defined under SEQR.

**AUGUST 19, 2015**  
**REGULAR TOWN BOARD MEETING**

- 3) The Town Board, in its capacity of Lead Agency, has caused to be prepared a draft design report dated July, 2015 which includes an environmental assessment of the significance of and potential environmental impacts of the action described above.
- 4) On July 15, 2015, the Town Board notified the Involved and Interested Agencies of its intention to act as Lead Agency for this project and circulated part 1 of the short Environmental Assessment Form (EAF).
- 5) No comments were received on the short EAF from involved and interested Agencies. The Town will obtain all necessary permits and approvals from Involved Agencies and will comply with agency requirements.
- 6) The Town Board has considered all environmental information prepared for this action, including any comments received from the Interested Agencies, and has prepared the attached Part 2 and 3 of the short EAF indicating the proposed Negative Declaration.

**NOW THEREFORE BE IT RESOLVED,**

**The Town Board declares that it will serve as Lead Agency for the Ellicott Trail Project; and,**

The Town Board declares that, based on all of the environmental information which has been prepared, the project will result in no major impacts and, therefore, will not cause significant damage to the environment. A Negative Declaration under SEQR is therefore issued for this project.

**Second by:** Deputy Supervisor Underhill  
**Ayes:** Lang, Underhill, Michalak, Zambito, Post  
**APPROVED by unanimous vote (5-0)**

**RESOLUTION NO. 174:**

Deputy Supervisor Underhill offered the following:

**GENESEE COUNTY VISITORS GUIDE ADVERTISEMENT**

**RESOLVED,** the Batavia Town Board hereby authorizes a full-page advertisement in the 2016 Genesee County Visitors Guide at a cost not to exceed \$1,800.00; and be it further

**RESOLVED,** Chad Zambito, Councilman will serve as the Community Page Coordinator.

**Second by:** Councilman Lang  
**Ayes:** Underhill, Lang, Michalak, Zambito, Post  
**APPROVED by unanimous vote (5-0)**

**RESOLUTION NO. 175:**

Supervisor Post offered the following:

**TRAINING WORKSHOP**

**AUGUST 19, 2015**  
**REGULAR TOWN BOARD MEETING**

**RESOLVED**, the Batavia Town Board hereby authorizes the following personnel to attend training workshops:

Sandra Baubie, Mary Cordes, Teressa Morasco, Rhonda Saulsbury, Marcy Crandall, Hiedi Librock, Steven Mountain, Daniel Lang, Matthew Mahaney, Bruce Gerould, Sarah Sauka, Melissa Mason, Katelyn Parmenter, Tom Lichtenthal, Jason Armbrewster, Daniel Miles, Douglas Smart, Paul Barrett, Burt Swable, Gregory Lang, Keith Wilkinson, and Keith Wilkinson Jr.- Work Place Violence/Sexual Harassment Training (was) August 6 and August 13, 2015.

Steve Mountain- Tift Water Supply Symposium September 23 – 24, 2015 at a cost of \$923.00. A Town vehicle will be used.

Berneda Scoins- GAHWNY 2015 Fall Meeting September 25 – 26, 2015 at a cost of \$119.00

**Second by:** Deputy Supervisor Underhill  
**Ayes:** Post, Underhill, Michalak, Zambito, Lang  
**APPROVED by unanimous vote (5-0)**

**RESOLUTION NO. 176:**

Councilwoman Michalak offered the following:

**RESOLUTION INCREASING BUDGETARY LINE ITEMS  
HIGHWAY**

**RESOLVED**, the Batavia Town Board hereby authorizes increasing expenditure line item DA5112.200 in the amount for \$34,934.08. Source of funding is from the State Aid CHIPS- DA3501.

**Second by:** Councilman Zambito  
**Ayes:** Michalak, Zambito, Lang, Underhill, Post  
**APPROVED by unanimous vote (5-0)**

**RESOLUTION NO. 177:**

Councilman Zambito offered the following:

**RESOLUTION FOR REDUCTION OF SPEED LIMIT  
WEST MAIN STREET ROAD**

**WHEREAS**, residents residing West Main Street Road have expressed concern regarding unsafe traffic conditions on West Main Street Road (NYS Route5) between Colonial Boulevard and Stegman Road; and

**WHEREAS**, a request has been made to reduce the speed limit on West Main Street Road (NYS Route 5) between Colonial Boulevard to Stegman Road from 55 MPH to 45 MPH and reduce the travel lanes from 4 lanes (two travel lanes in each direction) to 3 lanes (one lane in each direction and a center

**AUGUST 19, 2015**  
**REGULAR TOWN BOARD MEETING**

turn lane) and install appropriate speed limit signs (email and letter attached), and

**NOW, THEREFORE, BE IT**

**RESOLVED**, the Batavia Town Board hereby petitions the Genesee County Highway Department and the New York State Department of Transportation by way of this resolution to consider a speed reduction on West Main Street Road (NYS Route 5) between Colonial Boulevard and Stegman Road from 55 MPH to 45 MPH as well as reduce the travel lanes from 4 lanes to 3 lanes.

**Second by:** Councilman Lang

**Ayes:** Zambito, Lang, Underhill, Michalak, Post

**APPROVED by unanimous vote (5-0)**

**Discussion:** This has been a subject of discussion over the last couple of weeks. Councilman Zambito stated that being a resident of West Main Street Road, he wholeheartedly agrees with this.

**RESOLUTION NO. 178:**

Councilman Lang offered the following:

**BID AWARD**  
**PRATT ROAD WATER DISTRICT**

**WHEREAS**, the Town of Batavia received bids August 14, 2015 at 2:00 P.M. for the construction of approximately 16,000 linear feet of 8 inch and/or 12 inch water main along Pratt and Powers Roads; and

**WHEREAS**, Randsco Pipeline, Inc., of Macedon, New York was the lowest responsible bidder at a cost of Seven Hundred Thirty Six Thousand Three Hundred Fifty dollars and no cents (\$736,350.00) for Base Bid A (bid summary attached); and

**WHEREAS**, Clark Patterson Lee has completed a review of the low bidder and the bid tabulation (attached); and

**WHEREAS**, the Town Engineer has reviewed the same and recommends award of the contract to Randsco Pipeline, Inc.

**NOW THEREFORE BE IT**

**RESOLVED**, the Batavia Town Board hereby awards the bid to Randsco Pipeline, Inc. at a cost of Seven Hundred Thirty Six Thousand Three Hundred Fifty dollars and no cents (\$736,350.00) for construction of approximately 16,000 linear feet of 8 inch PVC waterline (Base Bid A) along Pratt and Powers Roads contingent upon approval by the USDA- Rural Development-Rural Utility Service and the insurance and bonding being in place as approved by the Town Attorney; and

**BE IT FURTHER RESOLVED**, the Batavia Town Board hereby authorizes the Supervisor to execute the agreement with Randsco Pipeline, Inc. and to issue the Notice to Proceed once the aforementioned conditions are met.

**AUGUST 19, 2015**  
**REGULAR TOWN BOARD MEETING**

**Second by:** Deputy Supervisor Underhill  
**Ayes:** Lang, Underhill, Michalak, Zambito, Post  
**APPROVED by unanimous vote** (5-0)

**RESOLUTION NO. 179:**

Deputy Supervisor Underhill offered the following:

**RESOLUTION OF INTENT TO PROVIDE  
OPERATION AND MAINTENANCE OF WATER FACILITIES  
TOWN OF OAKFIELD WATER DISTRICT NO. 9 AND  
TOWN OF ALABAMA WATER DISTRICT NO. 3**

**WHEREAS**, the Towns of Oakfield and Alabama had a Map, Plan, and Report prepared for Water District No. 9 and Water District No. 3, and

**WHEREAS**, the Towns are requesting permission to connect to the Batavia North Water District/Town of Oakfield Water District No. 6 water main; and

**WHEREAS**, both Towns are also requesting consideration for the Town of Batavia Water Department to provide operation and maintenance of the new water facilities within the two proposed Water Districts.

**NOW, THEREFORE, BE IT RESOLVED**, the Batavia Town Board hereby gives its intent to provide Operation and Maintenance of the new water facilities within the Town of Oakfield Water District No. 9 and Town of Alabama Water District No. 3's proposed water systems and to allow connection to the Townline Water District Water Main, contingent upon those Districts obtaining a Water Supply and Smart Growth agreements with Genesee County.

**Second by:** Councilman Lang  
**Ayes:** Underhill, Lang, Michalak, Zambito, Post  
**APPROVED by unanimous vote** (5-0)

**Abstract No. 8-2015:** Motion Deputy Supervisor Underhill, second Councilman Zambito to authorize the Supervisor to pay the following vouchers:

**AUGUST 19, 2015**  
**REGULAR TOWN BOARD MEETING**

General	\$177,606.21
Highway	87,667.76
Sewer No. 1	66,061.70
Sewer No. 2	51,397.83
Water	10,847.16
Creek	23,700.00
Pratt	2,846.40
Townline Water	428,586.97
West Main/Wort	9,534.81
CDBG	227,282.91
<b>Total</b>	<b>\$1,085,531.75</b>

Check numbers 20166 - 20171, 20173-20244, HQ-1011, SM: 1025-1027, Online: \$6,722.00

**Ayes:** Underhill, Zambito, Lang, Michalak, Post

**MOTION CARRIED by unanimous vote (5-0)**

**DEPARTMENT REPORTS:**

**The Supervisor reported on the following departments:**

**Building Inspector-** Very busy with a record number of building permits and such.

**Water/Wastewater-** Very busy with waterlines and inspections.

**Highway-** A number of the Town's budget work projects have been getting done. They will be mowing of roadsides.

**Supervisor's Report:**

**Status Report** on expenditures and revenues is available for the Board's review.

**COMMUNICATIONS:**

**The Town Clerk reported on the following:**

**July Town Clerk monthly report collected** a total of \$6,006.38, remitted \$5,334.40 to the Supervisor for the Local Share.

**GLOW Hazardous Waste Collection** is Saturday September 19, 2015 in Rock Glen, New York. Appointments are required.

**Training-** Monroe County Planning Fall 2015 Land Use Decision Making Training Programs are various dates in September and October. Town personnel have be notified of these trainings.

**NYS Floodplain Management Training** is Thursday, August 27. Town personnel have be notified of this training.

**Liquor License Renewals-** Received notices from Jims' Saloon and the Willow Bend Inn of their renewal for their liquor licenses.

**ADJOURNMENT:**

Motion Councilman Lang, second Deputy Supervisor Underhill to adjourn the Regular Town

**AUGUST 19, 2015**  
**REGULAR TOWN BOARD MEETING**

Board Meeting at 7:25 P.M.

**Ayes:** Zambito, Underhill, Michalak, Lang, Post  
**MOTION CARRIED by unanimous vote (5-0)**

Respectfully submitted,

Teresa M. Morasco  
Town Clerk