

SEPTEMBER 16, 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
Councilman Lang
Councilwoman Michalak
Councilman Zambito

Absent: Deputy Supervisor Underhill

Others

Present: Town Clerk Morasco
Roger Muehlig, Daily News Reporter
Julie Bush and Madeline Morrison, Batavia High School Students

The Supervisor called the meeting to order at 7:05 P.M.

August 19, 2015 Regular Town Board Meeting: Motion Councilman Zambito, second Councilwoman Michalak to approve the minutes as written.

Ayes: Zambito, Michalak, Lang, Post

MOTION CARRIED by unanimous vote (4-0)

Batavia High School Students- Supervisor Post welcomed BHS students Julie Bush and Madeline Morrison to the meeting. They are studying “Participation in Government” and a required to attend a local government meeting.

RESOLUTION NO. 180:

Councilman Lang offered the following:

TRAINING WORKSHOP

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

Brittany Witkop and Donna Morrill- GFLRPC Fall Local Government Workshop November 13, 2015 at a cost of \$75.00 each.

Teressa Morasco – NYSTCA Regional Training October 5, 2015 at a cost of \$35.00.

Second by: Councilman Zambito

Ayes: Lang, Zambito, Michalak, Post

APPROVED by unanimous vote (4-0)

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RESOLUTION NO. 181 :

Supervisor Post offered the following:

APPOINTMENT TO ASSESSMENT BOARD OF REVIEW

WHEREAS, Heidi DeAngelo's term on the Assessment Board of Review expires September 30, 2015.

NOW, THEREFORE, BE IT

RESOLVED, the Batavia Town Board hereby re-appoints Heidi DeAngelo, 3825 Pike Road, Batavia, New York, to the Town of Batavia Assessment Board of Review, commencing October 1, 2015 and expiring September 30, 2020; and be it further

RESOLVED, said member appointed is subject to completing the required training within each calendar year; and be it further

RESOLVED, if the training is incomplete, the Town Board will consider the position vacant and re-advertise to fill the vacancy.

Second by: Councilwoman Michalak
Ayes: Post, Michalak, Zambito, Lang
APPROVED by unanimous vote (4-0)

RESOLUTION NO. 182:

Councilwoman Michalak offered the following:

**RESOLUTION INCREASING BUDGETARY LINE ITEMS
INSURANCE RECOVERY FUNDS**

RESOLVED, the Batavia Town Board hereby authorizes the following budget line item increases to account for insurance recovery funds:

Revenue Line Item:		Expenditure Line Item:	
SW2680	\$ 1,236.90	SW8340.400	\$ 1,236.90

Second by: Councilman Lang
Ayes: Michalak, Lang, Zambito, Post
APPROVED by unanimous vote (4-0)

RESOLUTION NO. 183:

Councilman Zambito offered the following:

**RESOLUTION TO INTRODUCE PROPOSED LOCAL LAW No. 4 of 2015
AND TO SCHEDULE A PUBLIC HEARING**

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WHEREAS, the Town Board of the Town of Batavia, New York desires to consider adopting legislation to amend the “Zoning Map of the Town of Batavia, New York.”, which was established in Section 235-7 of the Code of the Town of Batavia, adopted on August 15, 2001 by Local Law No. 4 of 2001, as amended through March 18, 2015.

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Batavia, New York that proposed Local Law No. 4 of 2015 entitled "A Local Law to Amend the Zoning Map of the Town of Batavia, New York”, which proposed Local Law is now in its final form as appears by a copy thereof hereto attached, be and the same hereby is introduced for adoption; and

BE IT FURTHER RESOLVED that said proposed Local Law be laid upon the desks of the members of this Town Board on this date and remain there and a copy thereof be kept on file in the office of the Town Clerk until September 30, 2015, and that a public hearing be held on the 30th day of September, 2015, at 7:00 p.m. at the Batavia Town Hall, 3833 West Main Street Road, Batavia, New York, on the advisability of enacting said proposed Local Law; and

BE IT FURTHER RESOLVED that a copy of said proposed Local Law be mailed to each member of the Town Board not in attendance at this meeting in a postpaid, properly addressed and securely closed envelope in a post box within the Town of Batavia, New York not less than (10) ten calendar days, exclusive of Sunday, prior to the date of said public hearing; and

BE IT FURTHER RESOLVED that the Town Clerk shall cause notice of said public hearing to be published once in The Daily News at least five (5) days prior to the date of said public hearing, which notice shall contain the time and place of said hearing, the title and purpose thereof, as well as a statement that a copy of said proposed Local Law is on file in the Town Clerk's Office; and

BE IT FURTHER RESOLVED that this matter shall be referred to the Genesee County Planning Board and the Town of Batavia Planning Board for consideration; and

BE IT FURTHER RESOLVED that at least ten (10) days prior to the public hearing, written notice of any proposed regulations, restrictions or boundaries of districts within the Town and amendments thereto be served personally or given by mail by the Town to each person or persons required to be notified pursuant to New York State Town Law Section 264 (2).

Second by: Councilwoman Michalak
Ayes: Zambito, Michalak, Lang, Post
APPROVED by unanimous vote (4-0)

RESOLUTION NO. 184:

Councilman Lang offered the following:

RESOLUTION TO DECLARE LEAD AGENCY

WHEREAS, the Town Board has introduced Local Law No. 4 of 2015, which proposes to make certain changes to the Zoning Map of the Town of Batavia affecting approximately 30 acres of land within

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the Town, and

WHEREAS, the Town Board is the only agency that will be either approving, funding or directly undertaking an action.

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Batavia, New York, that it shall be declared the Lead Agency with regard to an environmental review pursuant to the State Environmental Quality Review Act, and it shall prepare a Short Environmental Assessment Form for this Unlisted action, and

BE IT FURTHER RESOLVED that the Town Board shall take all other steps necessary to complete the environmental review assessment.

Second by: Councilman Zambito
Ayes: Lang, Zambito, Michalak, Post
APPROVED by unanimous vote (4-0)

Abstract No. 9-2015: Motion Councilman Lang, second Councilman Zambito to authorize the Supervisor to pay the following vouchers:

General	\$80,110.02
Highway	44,980.95
Sewer No. 1	2,077.69
Sewer No. 2	306,587.72
Water	205,628.26
Townline Water	473,784.62
Pratt	2,210.00
Ellicott Trail	25,500.75
Total	\$1,140,880.01

Check numbers 20246 thru 20306, SM- 1028-1032, ACH-\$12,053.12, Wire-\$304,487.50, Online-\$7,162.66

Ayes: Lang, Zambito, Michalak, Post
MOTION CARRIED by unanimous vote (4-0)

Supervisor's Report:

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

GAM meeting is tomorrow evening at the Elba Central School at 7:00 P.M. Hosted by the Town of Elba.

COMMUNICATIONS:

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The Town Clerk reported on the following:

August Town Clerk monthly report collected a total of \$7,601.88, remitted \$3,228.52 to the Supervisor for the Local Share.

Training- GFLRPC Fall Local Government Workshop is November 13, 2015. Town personnel have be notified of this training.

Green Genesee/Smart Genesee -open House is October 6 at the Office for the Aging. It will give the public a chance to view the Green Genesee Road Map and participate in planning Genesee County's future.

NYMIR Safe Driving Seminar - is offering a free Safe Driving Seminar for Town Employees on October 15 at the Batavia City Centre.

ADJOURNMENT:

Motion Councilman Lang, second Councilwoman Michalak to adjourn the Regular Town Board Meeting at 7:20 P.M.

Ayes: Lang, Michalak, Zambito, Post

MOTION CARRIED by unanimous vote (4-0)

Respectfully submitted,

Teressa M. Morasco
Town Clerk