

**MAY 15, 2019
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
Councilwoman Michalak
Councilman Zambito

Absent: Councilwoman White

Others

Present: Town Clerk Morasco
Mallory Diefenbach, Daily News Reporter
Bob Zabel, The Harrison Studio

The Supervisor called the meeting to order at 7:00 P.M.

Public Hearing-Community Development Block Grant-Freightliner- The Supervisor called the Public Hearing to Order at 7:01 P.M.- Minutes for public hearing entered separately.

April 17, 2019 Public Hearing-Local Law 2 of 219 Sexual Harassment Policy: Motion Councilman Zambito, second Councilwoman Michalak to approve the minutes as written.

Ayes: Zambito, Michalak, Underhill, Post

MOTION CARRIED by unanimous vote (4-0)

April 17, 2019 Regular Town Board Meeting: Motion Deputy Supervisor Underhill, second Councilman Zambito to approve the minutes as written.

Ayes: Underhill, Zambito, Michalak, Post

MOTION CARRIED by unanimous vote (4-0)

RESOLUTION NO. 85:

Deputy Supervisor Underhill offered the following:

**ESTABLISHING STANDARD WORKDAY AND REPORTING
ELECTED AND APPOINTED OFFICIALS
EXEMPT FROM THE TIME AND ATTENDANCE SYSTEM**

RESOLVED, the Batavia Town Board hereby establishes the following as a standard workday for elected and appointed officials exempt from the time and attendance system and will report the following days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by these officials to Town Clerk and Secretary to the Supervisor;

Elected & Appointed Officials									
Title	Name	Social Security Number	Registration Number	Standard Work Day (hrs/day)	Current Term Begins/Ends	Participates in Employer's Time Keeping	Record of Activities	Tier 1 (Check only if member is in	Not submitted (Check box

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		(Last 4 digits)				System		Tier 1)	if no record of activities completed or timekeeping system)
Town Councilman	Chad Zambito	█	█	6	01/01/2016-12/31/2019	N	21.87		

and be it further

RESOLVED, the Town Clerk is hereby directed, as required by Section 315.4 (c), to post said resolution on the Town’s website and the sign board located in the Town Hall; and be it further

RESOLVED, the Town Clerk is hereby directed to file a certified copy of the resolution and an affidavit of posting with the Office of the State Comptroller’s.

Second by: Councilwoman Michalak
Ayes: Underhill, Michalak, Post
Abstain: Zambito
APPROVED by vote (3-ayes, 1-abstain)

RESOLUTION NO. 86:

Supervisor Post offered the following:

TRAINING WORKSHOP

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

Steve Mountain- NY Rural Water Association Training Workshop May 20, 2019 in Verona, New York. The cost for training, travel and meals is approximately \$190.00.

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

RESOLUTION NO. 87:

Councilwoman Michalak offered the following:

**RESOLUTION TO APPROVE A
FOURTH AMENDED ASSESSMENT SERVICES AGREEMENT
WITH THE TOWN OF BERGEN**

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WHEREAS, the Town of Batavia, (hereinafter “Batavia”) and the Town of Bergen, (hereinafter “Bergen”) entered into a contract entitled “Towns of Batavia and Bergen Assessment Services Agreement”, dated July 28, 2015; and

WHEREAS, both Towns desire to continue this relationship, allowing Batavia to provide assessment services to Bergen, and

WHEREAS, the Batavia has determined that it has the ability to provide the services by using the Batavia Town Assessor, who is and will continue to be fully qualified as required by law to provide assessment services, with any support staffing, as necessary.

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Batavia, New York, that a proposed “Fourth Amended Towns of Batavia and Bergen Assessment Services Agreement”, a copy of which is annexed hereto and made part of the Town Board Minutes, is hereby approved and the Town Supervisor is authorized and directed to sign this Agreement on behalf of the Town of Batavia; and be it further

RESOLVED that the effective date of this Agreement shall be July 1, 2019.

Second by: Councilman Zambito

Ayes: Michalak, Zambito, Underhill, Post

APPROVED by unanimous vote (4-0)

FOURTH AMENDED
TOWNS OF BATAVIA AND BERGEN
ASSESSMENT SERVICES AGREEMENT

THIS AGREEMENT made the _____ day of _____, 2019, by and between the **TOWN OF BERGEN**, a municipal corporation organized and existing under the Laws of the State of New York, having its principal office located at 10 Hunter Street, Bergen, New York 14416, (hereinafter referred to as “Bergen”), and the **TOWN OF BATAVIA**, a municipal corporation organized and existing under the Laws of the State of New York, having its principal office located at 3833 West Main Street Road, Batavia, New York 14020, (hereinafter referred to as “Batavia”).

WHEREAS, pursuant to Article 5-G of the General Municipal Law, Bergen and Batavia are authorized to enter into an inter-municipal cooperative agreement for the provision of tax assessment services, and

WHEREAS, Batavia currently is employing an Assessor fully qualified to provide all assessment services as required by law, and

WHEREAS, Batavia intends to continue to maintain the position of Assessor and to provide any

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support staff necessary to assist her/him to perform assessment duties in both the Towns of Batavia and Bergen.

NOW, THEREFORE, in consideration of the mutual covenants and agreements contained herein, it is agreed as follows:

1. Batavia agrees to provide assessment services to Bergen and shall provide a qualified individual to perform said duties outlined herein. The person appointed as Assessor must satisfy the minimum qualification standards for real property assessors established by the State Board of Real Property Services.
2. The Assessor provided by Batavia shall be responsible for assessing all parcels of real property located in Bergen and in Batavia for the purposes of taxation and special ad valorem levies for town, county, special district and school district. The Assessor shall also oversee all other duties as required for assessors by the Real Property Tax Law and the rules of the State Board of Real Property Services. All real property shall be assessed at the same uniform percentage of market value in all of the assessing units participating in the Agreement throughout the term of the Agreement. Such percentage of market value shall be annually printed on the tentative assessment rolls for the participating assessing units.
3. The dates applicable to the assessment process in each municipality, including taxable status date, and the dates for the filing of the tentative and final assessment rolls, shall be the same.
4. The Assessor personally and/or by employees under his/her direction shall be present for office hours in the Bergen Town Assessors Office for a total of four (4) hours per week. The days and times of these office hours shall be mutually agreed. Additionally, the Assessor can be available by appointment or during regular office hours at the City or Town of Batavia offices.
5. The Assessor and any support staff shall for all purposes be deemed employees of Batavia. The Assessor and any support staff shall not in any way be construed as employees of Bergen. Batavia shall pay the salary and make employer's contributions for retirement, social security, health insurance, worker's compensation, unemployment and other similar benefits for the Assessor, as well as for any other individuals employed by Batavia to fulfill the terms and conditions of this Agreement as support staff.
6. Batavia shall indemnify and hold Bergen harmless from any claims made against Bergen by the Assessor, or any third party, arising out of any acts of misfeasance, malfeasance, or non-feasance by the Assessor in the performance of his/her duties while working for Batavia, including costs of settling any action and reasonable attorney's fees for defense. Bergen shall indemnify and hold Batavia harmless from any claims made against Batavia by the Assessor, or any third party, arising out of any acts of misfeasance, malfeasance, or non-feasance by the Assessor in the performance of his/her duties while working for Bergen, including costs of settling any action and reasonable attorney's fees for

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defense. Each party will provide the other with timely notice of any claims and shall fully cooperate with each other to defend the same.

7. Batavia shall pay all costs and expenses relating to defending any assessment challenge brought in its jurisdiction and Bergen shall pay all costs and expenses related to defending any assessment challenge brought in its jurisdiction.

8. The terms and conditions of this Agreement shall begin on July 1, 2019 and shall end on June 30, 2020. In order to allow both municipalities to make alternative arrangements for assessment duties, if necessary, the rights and duties of both parties shall not extend beyond the termination date, unless on or before April 30, 2019, Bergen and Batavia enter into an additional Agreement to renew or extend this contractual arrangement upon mutually agreed upon terms and conditions.

9. In consideration and for compensation for the services set forth herein, Bergen shall pay to Batavia the total sum of) for this Agreement. This sum shall be paid in two equal installments. The first payment due on or before October 1, 2019 and the second payment due on or before March 1, 2020.

10. In the event that the current Town of Batavia Assessor shall resign or otherwise is no longer able to provide assessment services to Batavia, then Bergen, at its sole option and discretion, may terminate this Agreement with at least thirty (30) days prior written notice to Batavia and thereafter, this Agreement shall be null and void.

11. There are no other agreements or understandings, either oral or written, between the parties affecting this Agreement. No changes, additions or deletions of any portions of this Agreement shall be valid or binding upon the parties hereto unless the same is approved in writing by the parties.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals the day and year first above written.

TOWN OF BATAVIA

By: Gregory H. Post, Town Supervisor

TOWN OF BERGEN

By: Ernest Haywood, Town Supervisor

State of New York}

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County of Genesee}ss.

On this _____ day of _____, 2019, before me, the undersigned, personally appeared Gregory H. Post, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her capacity, and that by his/her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Notary Public

State of New York}
County of Genesee}ss.

On this _____ day of _____, 2019, before me, the undersigned, personally appeared Ernest Haywood, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her capacity, and that by his/her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Notary Public

RESOLUTION NO. 88:

Councilman Zambito offered the following:

RESOLUTION ESTABLISHING
SECOND AND THIRD DEPUTY TOWN CLERK

WHEREAS, the Town Clerk can appoint up to three Deputy Town Clerks; and

WHEREAS, these positions need to be established by the Town Board and approved through Civil Service; and

WHEREAS, in 2009 and in 2012 the Town Board adopted resolutions to establish a second and third Deputy Town Clerk; and

WHEREAS, the Town recently was notified by Genesee County Human Resources that the resolutions to create the positions didn't specifically say the Second and Third Deputy had the power to act for and in place of the principle.

NOW, THEREFORE, BE IT

RESOLVED, the Batavia Town Board hereby establishes a Second and Third Deputy Town Clerk position; and be it further

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RESOLVED, that the Second and Third Deputy Town Clerks have the power to act for and in place of the principle.

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

RESOLUTION NO. 89:

Deputy Supervisor Underhill offered the following:

**RESOLUTION AUTHORIZING WEST PROFLEX SUBSCRIPTION
WITH WEST PUBLISHING CORPORATION (Westlaw)**

WHEREAS, the Town's subscription to the West Proflex from West Publishing Corporation (Westlaw) has expired; and

WHEREAS, the West Publishing Corporation provided a quote for West Proflex subscription at a cost of \$120.00 per month, which is an upgraded subscription.

NOW, THEREFORE, BE IT

RESOLVED, the Batavia Town Board hereby authorizes the Supervisor to subscribe to West Proflex Subscription from West Publishing Corporation, a Thomson Reuters business, for the Attorney for the Town to utilize, at a cost of \$120.00 per month; and be it further

RESOLVED, the Supervisor is hereby authorized to execute the subscription order form, a copy of which is annexed hereto and made a part of the minutes.

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

RESOLUTION NO. 90:

Supervisor Post offered the following:

**SUMMER SEASONAL EMPLOYEE
FOR HIGHWAY DEPARTMENT**

WHEREAS, the Highway Superintendent would like to hire a seasonal employee to assist the Highway Department with roadside mowing and other various tasks. The seasonal employee would be hired from May 16, 2019 thru November 1, 2019; and

WHEREAS, the 2019 Town Budget reflects appropriations to hire one seasonal employee for the Highway Department.

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NOW, THEREFORE, BE

RESOLVED, the Batavia Town Board hereby authorizes the Highway Superintendent to hire Aaron Swable as a seasonal employee for up to 40 hours per week from May 16, 2019 thru November 1, 2019 at an hourly rate of \$21.00 for the Highway Department, and be it

FURTHER RESOLVED, as per the Town of Batavia policy, Mr. Swable is subject to a physical, background and driver's license check and drug and alcohol testing; and be it

FURTHER RESOLVED, the expenditure will be appropriated from line items DA5140.100, DA5148.100, A8164.101, A8165.101.

Second by: Deputy Supervisor Underhill
Ayes: Post, Underhill, Michalak, Zambito
APPROVED by unanimous vote (4-0)

RESOLUTION NO. 91:

Councilwoman Michalak offered the following:

LEAD AGENCY STATUS
TOWN OF ALEXANDER
ALEXANDER WATER DISTRICT NO. 6

WHEREAS, the Town of Alexander is proposing formation of Water District No. 6 in the Town of Alexander; and

WHEREAS, such facilities would connect to the existing Town of Batavia Southwest Water District, and

WHEREAS, the Town of Alexander wishes to assume Lead Agency status for the proposed Water District; and

WHEREAS, the Batavia Town Board does not object to the Town of Alexander assuming this role.

NOW, THEREFORE, BE IT

RESOLVED, the Batavia Town Board hereby authorizes the Supervisor to execute the attached SEQR Lead Agency Intent Consent Form designating the Town of Alexander as Lead Agency for the proposed formation of Water District No. 6, located in the Town of Alexander.

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

RESOLUTION NO. 92:

Councilman Zambito offered the following:

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ACCOUNTING SOFTWARE MAINTENANCE AGREEMENT
WILLIAMSON LAW BOOK COMPANY

RESOLVED, the Batavia Town Board hereby authorizes the Supervisor to execute the annual renewal Accounting Software Maintenance Agreement between the Town of Batavia and Williamson Law Book Company at a cost of \$1,038.00dollars (\$1,038.00) for one (1) year, effective May 1, 2019 to April 30, 2020, a copy of which is annexed hereto and made a part of the minutes.

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

RESOLUTION NO. 93:

Deputy Supervisor Underhill offered the following:

BUILDING PERMIT FEE SCHEDULE

WHEREAS, the Town of Batavia building permit fees have not been updated since 2008; and

WHEREAS, the Building Inspector has prepared an updated Building Permit Fee Schedule (fee schedule attached) for the Town Board's approval.

NOW, THEREFORE, BE IT

RESOLVED, the Batavia Town Board hereby adopts the Building Permit Fee Schedule, a copy of which is annexed hereto and made a part of the minutes; and be it further

RESOLVED, this will be effective as of June 1, 2019.

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

Building Permits:

Building Permits are valid for one year from issuance date. If the permit expires an extension for the permit shall be applied for. Only two such extensions shall be permitted.

Note: Any actual costs incurred by the Town for the application of a subject permit which exceeds the permit fee schedule outlined here will be charged to the applicant and must be paid in full prior to the issuance of the Certificate of Occupancy or upon withdrawal of the subject property.

At the discretion of the Town, projects requiring substantial reviews, i.e. attorney, engineering, etc., would be required to provide a deposit in the amount to be determined.

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Residential Structures:

- Area up to 1,200 square feet \$350.00
- Area 1,201 to 2,000 square feet \$450.00
- Area greater than 2,000 square feet .50 cents per sq. ft.

Residential Alterations, Additions, Garage, Porch, Decks and Carports

- Area up to 325 square feet \$150.00
- Area in excess of 325square feet...additional .50 cents per sq. ft.

Note: Floor area shall include all floors as well as an accessory garage.

Accessory Structures, Storage Buildings, Etc.

- Area up to 500 square feet \$50.00
 - Area in excess of 500 square feet...additional .10 cents per sq. ft.
- Maximum of \$250.00**

Miscellaneous

- Fence \$50.00
- Swimming Pool \$50.00
- Hot Tub and Spa \$50.00
- Wood Stove, Furnace, Fireplace \$50.00
- Demolition Permit \$100.00
- Install Mobile Home \$100.00
- Barns and Agriculture Buildings \$50.00
- Home Occupation \$200.00
- Install Mobile Home in park \$100.00
- Ponds \$100.00
- Generator \$50.00
- Storage Tank Install or Removal \$100.00

Note: No permit is required if pool can contain no more than 24 inches of water. No permit is required for a spa or a hot tub with a safety cover complies with ASTM F 1346 and as listed in section AG107.

Commercial New Construction and Alterations

- Area up to 1000 square feet \$500.00
- Area in excess of 1000 square feet .50 cents per sq. ft.
- Administrative Site Plan Review Fee \$350.00

Building Permit Extension Residential Fee..... \$200.00
Building Permit Extension Commercial Fee..... \$500.00

Signs

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- | | |
|--------------------|----------|
| ▪ New Sign | \$150.00 |
| ▪ Replacement Sign | \$50.00 |

Zoning, Property Maintenance and Planning Fees

- | | |
|------------------------------------|----------|
| ▪ Appeals for Area or Use Variance | \$150.00 |
| ▪ Appeals for Property Maintenance | \$300.00 |
| ▪ Site Plan Review | \$200.00 |
| ▪ Minor Subdivision | \$200.00 |
| ▪ Special Use Permits | \$100.00 |
| ▪ Subdivision | \$400.00 |

In the event that work requiring a permit is commenced prior to filling and issuance of the permit, the fee for the permit shall be double the regular rate. This shall be in addition to any other penalty provided under the applicable laws.

Note: All fees listed above include all inspections involved in the project the permit was issued for.

Note: See Water and Wastewater Fee Schedule for other fees relating to construction costs

Note: See Ancillary Permit Fee Schedule for other fees (driveway permit, highway permit and fill permit)

RESOLUTION NO. 94:

Supervisor Post offered the following:

ANCILLARY PERMIT FEE SCHEDULE

WHEREAS, the updated Building Permit Fee Schedule only includes fees related to the building and zoning code; and

WHEREAS, an Ancillary Permit Fee Schedule needs to be adopted for these other fees; and

WHEREAS, the Town Engineer and Highway Superintendent have reviewed and recommend adoption of the Ancillary Permit Fee Schedule (fee schedule attached).

NOW, THEREFORE, BE IT

RESOLVED, the Batavia Town Board hereby adopts the Ancillary Permit Fee Schedule, a copy of which is annexed hereto and made a part of the minutes; and be it further

RESOLVED, this will be effective as of June 1, 2019.

Second by: Councilman Zambito

Ayes: Post, Zambito, Underhill, Michalak

APPROVED by unanimous vote (4-0)

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ANCILLARY PERMITS

- **Driveway Permit** **\$200.00**

- **Highway Construction Permit** **\$200.00**

- **Fill Permit** **\$100.00**

RESOLUTION NO. 95:

Councilwoman Michalak offered the following:

AMENDMENT 2 TO RESOLUTION 2 OF 2019

ADOPTION OF SALARIES FOR 2019

RESOLVED, the Batavia Town Board hereby amends resolution number 2 of 2019, entitled “Adoption of Salaries for 2019”, to add as follows:

Property Maintenance Code Board of Appeals Chair	\$1,400.00
Property Maintenance Code Board of Appeals	\$53.04 per meeting
Property Maintenance Code Board of Appeals Secretary	\$65.00 - \$79.57 per meeting

Second by: Deputy Supervisor Underhill
Ayes: Michalak, Underhill, Zambito, Post
APPROVED by unanimous vote (4-0)

RESOLUTION NO. 96:

Councilman Zambito offered the following:

RESOLUTION TO APPROVE AN AMENDMENT TO

AGREEMENT FOR THE

ELLICOTT TRAIL PROJECT

PIN 476079

WHEREAS, the New York State Department of Transportation, (hereinafter referred to as “NYSDOT”), administers this funding program, and has proposed an amendment to the “Federal Aid Local Project Agreement”, (hereinafter referred to as the “Agreement”), and

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WHEREAS, the Town of Batavia entered into an agreement with the NYSDOT in June 2014 for \$69,000 for the preliminary design phase of the project; and

WHEREAS, the Town of Batavia and NYSDOT amended the agreement (supplement #1) in November, 2015 to include the final design and increase the project funding amount to a total of \$171,000 for both the preliminary (\$69,000) and final design phases (\$102,000), by revising the Schedule A; and

WHEREAS, the Town of Batavia and NYSDOT amended the agreement (supplement #2) in June, 2017 to include the Right of Way and increase the project funding amount to a total of \$260,000 for the preliminary (\$69,000) and final design phases (\$102,000) and Right of Way (\$89,000), by revising the Schedule A; and

WHEREAS, The NYSDOT has submitted the annexed amendment to Schedule A of the agreement to increase the project funding to a total of \$1,655,794 for the preliminary (\$69,000), final design (\$102,000), Right of Way (\$89,000), construction (\$1,093,256) and local (\$302,538), by revising the Schedule A; and

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Batavia, New York, that the aforesaid “Federal Aid Local Project Agreement”, amended Schedule A and added Appendix 2-S, annexed thereto, is hereby approved, and the Town will comply with all of the terms and conditions therein, and it is further

RESOLVED that the Town Board does hereby authorize and approve the project at a new total cost of one million, six hundred, fifty-five thousand, seven hundred, ninety-four dollars (\$1,655,794) for the work on the Project covered by the Agreement with the sum of \$1,024,492 to be reimbursed by Federal aid, leaving the sum of \$631,302 as the local share, and it is further

RESOLVED that the aforesaid sum of one million, six hundred, fifty-five thousand, seven hundred, ninety-four dollars (\$1,655,794) is hereby appropriated and made available to cover the cost of participation in the above Project set forth in the Agreement, and it is further

RESOLVED that the Town Supervisor and the Town Attorney are hereby authorized and directed to execute the aforesaid Amendment to the Agreement and any and all other Agreements, certifications or documents needed for Federal-Aid and/or Marchiselli-Aid, on behalf of the Town of Batavia with the NYSDOT in connection with the advancement or approval of the Project, and providing for the administration of the Project and the Town’s initial funding of the Project along with the permanent funding of the local share of the federal-aid and state-aid eligible Project costs and all Project costs within appropriations thereof that are not so eligible, and it is further

RESOLVED that a certified copy of this Resolution be filed with the New York State Commissioner of Transportation by annexing it to any necessary Agreement in connection with the Project, and it is further

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RESOLVED that this Resolution shall take effect immediately.

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

RESOLUTION NO. 97:

Deputy Supervisor Underhill offered the following:

**PURCHASE NEW VEHICLE FOR
TOWN WATER/SEWER DEPARTMENT**

WHEREAS, the Town Water/Wastewater Department recently hired two new employees to assist with maintenance and repairs of the water/wastewater systems and these employees need vehicles to perform their duties; and

WHEREAS, the Town solicited bids for a new 2019 F250 pickup truck via the NY SOGS mini bid process under NYS contract PC 66676, Award#22898, mini bid #19040022. Five (5) bids were received on the truck. The low bidder was Beyer Ford at a price of \$30,075.71.

NOW, THEREFORE, BE IT

RESOLVED, the Batavia Town Board hereby authorizes the purchase of a new 2019 Ford F250 Pickup Truck from Beyer Ford at a price of \$30,075.71; and

FURTHER RESOLVED, the expenditures will be appropriated from the water/wastewater department accounts SS1-8120.200, SS2-8120.200, and SW-8340.200.

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

RESOLUTION NO. 98:

Supervisor Post 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 for the following incidents:

March 18, 2019 Incident in the amount of \$6,493.35

Revenue Line Item: Amount: Expenditure Line Item: Amount:

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SW2680 \$6,493.35 SW8340.400 \$6,493.35

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

RESOLUTION NO. 99:

Councilwoman Michalak offered the following:

AUTHORIZING BUDGET TRANSFER FOR 2019

RESOLVED, the Batavia Town Board hereby authorizes the following Budget Transfers:

SW WaterFund:

From	Amount	To
SW9730.612 BAN Principal	26,000.00	SW9730.712 BAN Interest

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

RESOLUTION NO. 100:

Councilman Zambito offered the following:

RESOLUTION TO ESTABLISH DEBT SERVICE LINE ITEMS
FOR ELLICOTT TRAIL AND EXCAVATOR BANS

RESOLVED, the Batavia Town Board hereby establishes the following line items:

A9730.601 - Ellicott Trail Principal
A9730.701 - Ellicott Trail Interest
DA9730.602- Excavator Principal
DA9730.702- Excavator Interest

Second by: Deputy Supervisor Underhill
Ayes: Zambito, Underhill, Michalak, Post
APPROVED by unanimous vote (4-0)

RESOLUTION NO. 101:

Deputy Supervisor Underhill offered the following:

2019 TOWN BUDGET
RESOLUTION INCREASING BUDGETARY LINE ITEMS

RESOLVED, the Batavia Town Board hereby increases the following line items:

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Expenditure Line Item:

SW8350.400 \$137,370.00

Revenue Line Item:

SW2392 \$137,370.00

Second by: Councilwoman Michalak

Ayes: Underhill, Michalak, Zambito, Post

APPROVED by unanimous vote (4-0)

RESOLUTION NO. 102:

Supervisor Post offered the following:

2019 BUDGET MODIFICATIONS – APPROPRIATED FUND BALANCE

RESOLVED, the Batavia Town Board hereby authorizes increasing the following expenditures from the Appropriated Fund Balance and Debt Services Other Governments for BAN payments:

FROM:	AMOUNT:	TO:
SW2392 Debt Ser Other Gov	\$ 14,964.58	SW9730.712 Townline Interest
A599 Appropriated Fund Balance	\$ 50,000.00	A9730.601 Ellicott Trail Principal
A599 Appropriated Fund Balance	\$ 6,856.00	A9730.701 Ellicott Trail Interest
DA599 Appropriated Fund Balance	\$ 7,463.00	DA9730.602 Excavator Principal
DA599 Appropriated Fund Balance	\$ 1,509.00	DA9730.702 Excavator Interest
SS1599 Appropriated Fund Balance	\$ 1,493.00	SS19730.602 Excavator Principal
SS1599 Appropriated Fund Balance	\$ 302.00	SS19730.702 Excavator Interest
SS2599 Appropriated Fund Balance	\$ 1,493.00	SS29730.602 Excavator Principal
SS2599 Appropriated Fund Balance	\$ 302.00	SS29730.702 Excavator Interest
SW599 Appropriated Fund Balance	\$ 4,478.00	SW9730.602 Excavator Principal
SW599 Appropriated Fund Balance	\$ 905.00	SW9730.702 Excavator Interest

Second by: Councilwoman Michalak

Ayes: Post, Michalak, Zambito, Underhill

APPROVED by unanimous vote (4-0)

RESOLUTION NO. 103:

Councilwoman Michalak offered the following:

RESOLUTION TO AUTHORIZE COMMUNITY SERVICE PROJECT

FIRE HYDRANT PAINTING

BOY SCOUTS TROOP 6006

WHEREAS, Wyatt Gaus of Boy Scout Troop 6006, submitted an application to complete a Community Service project; and

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WHEREAS, Mr. Gaus is proposing to repaint between 12 and 15 fire hydrants in an area chosen by the Town of Batavia for his Eagle Scout Project; and

WHEREAS, Mr. Gaus is proposing to prepare and distribute an informational pamphlet about the importance of fire hydrants to the residents in the area of his project; and

WHEREAS, all the supplies and materials will be provided by Mr. Gaus and/or Boy Scout Troop 6006, with the exception of safety vests and cones; and

WHEREAS, the Town Engineer recommends approval of this proposed project (recommendation and proposal attached).

NOW, THEREFORE, BE IT

RESOLVED, the Batavia Town Board hereby approves Wyatt Gaus' Boy Scout Troop 6006 proposal to repaint between 12 and 15 fire hydrants and to distribute an informational pamphlet about the importance of fire hydrants for the Community Service Project.

Second by: Councilman Zambito

Ayes: Michalak, Zambito, Underhill, Post

APPROVED by unanimous vote (5-0)

Abstract No. 5-2019: Motion Councilman Zambito, second Deputy Supervisor Underhill to authorize the Supervisor to pay the following vouchers:

General	\$77,012.45
Highway	15,684.38
Sewer No. 1	81,113.43
Sewer No. 2	55,867.99
Water	23,155.25
Fixed Based Meters	20.00
Ellicott Trail	69,701.80
Townline	25,006.95
Townline Joint	5,164.10
Total	\$352726.35

Check numbers 22045 thru 22113, SM: 1122, ACH: \$9,336.87, Online: \$10,357.47

Ayes: Zambito, Underhill, Michalak, Post

MOTION CARRIED by unanimous vote (4-0)

DEPARTMENT REPORTS:

The Supervisor reported on the following department:

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Building – Read the Building Inspectors report

COMMUNICATIONS:

The Town Clerk reported on the following:

April Town Clerk monthly report collected a total of \$4,690.85, remitted \$4,417.13 to the Supervisor for the Local Share.

GLOW Region Solid Waste Collection and Electronic Collection- September 14, 2019 GLOW Region Solid Waste will be having their annual household hazardous waste collection and on September 21, 2019 they will be having an Electronics Collection, both are by appointment only. For further details contact the GLOW office at 585-815-7906, Town Clerk's Office or visit the Town of Batavia website.

Electronic Collections - There will be Electronics Collections at various locations May through September 2019 sponsored by State Legislators. For the list of dates and locations contact the Town Clerk's office or visit the Town of Batavia website.

Trainings- There will be a NYMIR Playground Inspection/Maintenance Seminar at various locations in the month of June, Hodgson Russ is Sponsoring a Zoning & Land Use Fundamentals Seminar June 13, and Great Lakes Commission will be having a workshop May 30 on Green Infrastructure. Town officials have been notified of these trainings.

Supervisor's Report:

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

GAM -There will be a GAM meeting tomorrow evening at Genesee County Building 2, hosted by the Village of Elba. Follows a meeting from

Work Session – The May 22 work session has been cancelled as Town Officials are participating in the United Way Day of Caring.

ADJOURNMENT:

Motion Councilman Zambito, second Deputy Supervisor Underhill to adjourn the Regular Town Board Meeting at 7:27 P.M.

Ayes: Zambito, Underhill, Michalak, Post

MOTION CARRIED by unanimous vote (4-0)

Respectfully submitted,

Teresa M. Morasco
Town Clerk