

**SEPTEMBER 2, 2020  
REGULAR TOWN BOARD MEETING**

**Town Hall**

**4:00 P.M.**

Supervisor Post led the pledge to the flag.

**Roll Call**

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

**Others**

**Present:** Deputy Town Clerk Baubie  
Sarah Sauka  
Chris Suozzi  
Michael Patterson  
Brian Quinn  
Hiedi Librock  
Mike Pettinella

The Supervisor called the meeting to order at 4:00P.M.

**Calling Public Hearing to Order** - The Supervisor called the Public Hearing to Order for the Submission of Community Development Block Grant Applications at 4:01 P.M. - Minutes for public hearing entered separately.

**RESOLUTION NO. 136:**

Councilwoman White offered the following:

**RESOLUTION AUTHORIZING THE SUBMISSION OF A COMMUNITY  
DEVELOPMENT BLOCK GRANT APPLICATION**

**WHEREAS**, HP Hood LLC (hereinafter the “Company”) plans to increase its production capacity within the Town of Batavia (the “Town”) by installing a new filler line at its dairy processing plant located at 5140 W. Ag Park Drive in the Genesee Valley Agri-Business Park (the “Project”); and

**WHEREAS**, the Project will have an estimated capital cost of \$21,620,000; and

**WHEREAS**, the Company has requested that the Town of Batavia apply for Community Development Block Grant funding for the Project from the New York State Office of Community Renewal (the “OCR”); and

**WHEREAS**, the Genesee Gateway Local Development Corporation (the “GGLDC”) is assisting in the facilitation of the project and has requested that the Town provide the OCR funding to the GGLDC as a grant for the purpose of making a grant and/or loan to the Company; and

**SEPTEMBER 2, 2020  
REGULAR TOWN BOARD MEETING**

**WHEREAS**, the Project will create an estimated 56 new employment opportunities, including positions that will provide training to entry-level employees; and

**WHEREAS**, the Town has held a public hearing on September 2, 2020 to obtain citizens' views regarding the Project and the CDBG program as administered by OCR;

**NOW THEREFORE BE IT RESOLVED**, that the Town Board of the Town of Batavia hereby authorizes the Supervisor to submit a grant application to the OCR on behalf of the Town in an amount not to exceed \$750,000 to support the Project; and

**BE IT FURTHER RESOLVED**, that the Supervisor is hereby authorized to execute a grant agreement between the Town and the OCR and all related documents associated with the OCR grant, including entering into a grant agreement with GGLDC for the implementation of the Project and administration of the OCR grant all such documents to be subject to review and approval by the Town Attorney; and

**BE IT FURTHER RESOLVED**, the Supervisor is hereby designated as the Certifying Officer responsible for all activities associated with the federal environmental review process to be completed in conjunction with the Project.

**Second by:** Councilman Zambito

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

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

**RESOLUTION NO. 137:**

Deputy Supervisor Underhill offered the following:

**RESOLUTION AUTHORIZING THE SUBMISSION OF A COMMUNITY  
DEVELOPMENT BLOCK GRANT APPLICATION**

**WHEREAS**, Upstate Niagara Cooperative, Inc. (hereinafter the "Company") plans to reactivate the former Alpina Foods facility located at 5011 W. Ag Park Drive in the Genesee Valley Agri-Business Park within the Town of Batavia (the "Town"), including the construction of plant renovations and the acquisition of machinery and equipment needed to allow the Company to start production at the facility (the "Project"); and

**WHEREAS**, the Project will have an estimated capital cost of \$4,040,000; and

**WHEREAS**, the Company has requested that the Town of Batavia apply for Community Development Block Grant funding for the Project from the New York State Office of Community Renewal (the "OCR"); and

**WHEREAS**, the Genesee Gateway Local Development Corporation (the "GGLDC") is assisting

**SEPTEMBER 2, 2020  
REGULAR TOWN BOARD MEETING**

in the facilitation of the project and has requested that the Town provide the OCR funding to the GGLDC as a grant for the purpose of making a grant and/or loan to the Company; and

**WHEREAS**, the Project will create an estimated 50 new employment opportunities, including positions that will provide training to entry-level employees: and

**WHEREAS**, the Town has held a public hearing on September 2, 2020 to obtain citizens' views regarding the Project and the CDBG program as administered by OCR;

**NOW THEREFORE BE IT RESOLVED**, that the Town Board of the Town of Batavia hereby authorizes the Supervisor to submit a grant application to the OCR on behalf of the Town in an amount not to exceed \$750,000 to support the Project; and

**BE IT FURTHER RESOLVED**, that the Supervisor is hereby authorized to execute a grant agreement between the Town and the OCR and all related documents associated with the OCR grant, including entering into a grant agreement with GGLDC for the implementation of the Project and administration of the OCR grant all such documents to be subject to review and approval by the Town Attorney; and

**BE IT FURTHER RESOLVED**, the Supervisor is hereby designated as the Certifying Officer responsible for all activities associated with the federal environmental review process to be completed in conjunction with the Project.

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

**RESOLUTION NO. 138:**

Supervisor Post offered the following:

**PURCHASE OF DELL COMPUTER**

**WHEREAS**, a computer is need in the Town Clerk's office for the Deputy Town Clerk; and

**WHEREAS**, the Town Clerk received a quote from Dell for a Dell OptiPlex 7770 AIO MLK all-in-one workstation computer, NYS Contract #C000000005000, Customer Agreement #PM20820, at a cost of one thousand, five hundred, twenty-seven dollars and forty-one cents (\$1,527.41).

**NOW, THEREFORE, BE IT**

**RESOLVED**, the Batavia Town Board hereby approves the purchase of one (1) Dell OptiPlex 7770 AIO MLK all-in-one work-station computer at cost of one thousand, five hundred, twenty-seven dollars and forty-one cents (\$1,527.41), NYS Contract #C000000005000, Customer Agreement #PM20820; and be it further

**SEPTEMBER 2, 2020  
REGULAR TOWN BOARD MEETING**

**RESOLVED**, the expenditure appropriated from line item A1410.200.

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

**RESOLUTION NO. 139:**

Councilwoman Michalak offered the following:

**LOCKBOX AGREEMENT  
WATER/WASTEWATER COLLECTION PAYMENTS  
FIVE STAR BANK**

**RESOLVED**, the Batavia Town Board hereby authorizes and approves of the Lock Box Agreement with Five Star Bank for water/wastewater collection payments at a cost of \$.30 per item and an annual mail fee of \$25.00, a copy of which is annexed hereto and made a part of the minutes, and be it further

**RESOLVED**, the Supervisor is hereby authorized and directed to execute said agreement.

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

**ADJOURNMENT:**

Motion Deputy Supervisor Underhill, second Councilwoman Michalak to adjourn the Regular Town Board Meeting at 4:13 P.M.

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

Respectfully submitted,

Sandra M. Baubie  
Deputy Town Clerk