

**MARCH 21, 2007**  
**REGULAR TOWN BOARD MEETING**

**Town Hall**

**7:00 P.M.**

Chad Zambito led the pledge to the flag.

**Roll Call**

**Present:** Supervisor Post  
Deputy Supervisor Underhill  
Councilman Gerace  
Councilman Zambito

**Absent:** Councilwoman Michalak

**Others**

**Present:** Town Clerk Morasco  
Highway Superintendent Cook  
Building Inspector Worthington  
Town Assessor Cleveland  
Planning Board Chairwoman Jasinski

The Supervisor called the meeting to order at 7:03 P.M.

**MINUTES:**

**February 21, 2007 Regular Town Board Meeting, March 7, 2007 Public Hearing-“Small Cities Grant Program”, March 7, 2007 Public Hearing- “Comprehensive Master Plan Update” and March 7, 2007 Public Hearing-“Fact Finders Report”:** Motion Councilman Gerace, second Councilman Zambito to approve the minutes as written.

**MOTION CARRIED by unanimous vote (4-0)**

**RESOLUTION NO. 50:**

Councilman Zambito offered the following:

**AUTHORIZATION TO SUBMIT A GRANT**  
**APPLICATION TO THE GOVERNOR’S OFFICE FOR SMALL CITIES**

**"RESOLVED**, that the Supervisor of the Town of Batavia, Genesee County, New York, is hereby authorized as the official representative of the Town to execute and submit a Small Cities application to the administrative agency for the Fiscal Year 2007 program, all understandings and assurances contained therein, and is hereby directed and authorized to act in connection with the submission of the application and to provide such additional information as may be required.

**Second by:** Deputy Supervisor Underhill

**APPROVED by unanimous vote (4-0)**

**RESOLUTION NO. 51:**

Deputy Supervisor Underhill offered the following:

**RESOLUTION TO PROVIDE THE LOCAL SHARE OF THE COST OF CONSTRUCTING**

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**SANITARY SEWER IMPROVEMENTS TO SERVE THE  
TOWN OF BATAVIA WATER DISTRICT NO. 1**

**WHEREAS**, the Town has commissioned a preliminary engineering evaluation to define the extent of improvements and cost associated with the construction of needed improvements to the Town of Batavia Sewer District No. 1; and

**WHEREAS**, the cost of undertaking these improvements is estimated at eight hundred, twenty-eight thousand, nine hundred dollars (\$828,900.00) including construction, legal, engineering and administrative costs; and

**WHEREAS**, the Town Board has previously authorized the Supervisor to file a Small Cities application in the amount of \$400,000 for the construction of the needed sanitary sewer improvements.

**NOW, THEREFORE BE IT**

**RESOLVED**, that the Town Board commits that it will provide four hundred, twenty-eight thousand, nine hundred dollars (\$428,900.00) in funds plus any overruns that may be incurred to build the proposed improvements recommended in the preliminary engineering analysis referenced herein, to address the problems and eliminate the problems facing residents within the Town of Batavia Sewer District No. 1. **THIS COMMITMENT IS CONDITIONED ON THE TOWN RECEIVING THE \$400,000 SMALL CITIES GRANT REFERRED TO ABOVE. THE TOWN'S FUNDS ARE TO BE PROVIDED BY GENERAL OBLIGATION BONDS TO BE ISSUED BY THIS BOARD CONSISTENT WITH APPLICABLE LAWS OF THE STATE OF NEW YORK.**

**Second by:** Councilman Zambito  
**APPROVED** by unanimous vote (4-0)

**RESOLUTION NO. 52:**

Supervisor Post offered the following:

**RESOLUTION TO AUTHORIZE APPLICATION TO STATE COMPTROLLER  
FOR PEARL STREET ROAD WATER DISTRICT**

**WHEREAS**, the Town Board of the Town of Batavia, adopted a Resolution on January 17, 2007, establishing a water district on portions of Pearl Street Road in the Town of Batavia, and

**WHEREAS**, this Resolution was subject to approval of the Office of the State Comptroller, Department of Audit and Control, and

**WHEREAS**, said Resolution authorized the Town Supervisor, assisted by the Town Attorney and Town Bond Counsel, to prepare the necessary application to the State Comptroller.

**NOW, THEREFORE, BE IT RESOLVED**, by the Town Board of the Town of Batavia as follows:

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- (1) That the annexed application was prepared at the direction of the Batavia Town Board.
- (2) The Town Board has reviewed this application and believes the contents of the application to be accurate.
- (3) The Town Board has determined that the Pearl Street Road Water District, for which permission is sought, is in the public interest and will not constitute an undue burden on the properties which will bear the cost thereof.
- (4) The cost of the proposed improvements is to be assessed in whole or in part against the benefited area, and the Town Board has determined that all real property to be so assessed will be benefited by the proposed improvements and no benefited property has been excluded.

**Second by:** Deputy Supervisor Underhill  
**APPROVED by unanimous vote**

**RESOLUTION NO. 53:**

Councilman Gerace offered the following:

**RESOLUTION ISSUING A  
NEGATIVE DETERMINATION OF SIGNIFICANCE  
IN REGARDS TO THE TOWN OF BATAVIA  
COMPREHENSIVE PLAN UPDATE:**

**WHEREAS**, the Batavia Town Board, in conjunction with the Town of Batavia Comprehensive Plan Advisory Committee, and with the input and participation of Town Departments and the citizens of the Town, has completed the Town of Batavia Comprehensive Plan Update in accordance with Section 272-a of New York State Town Law; and

**WHEREAS**, pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act - SEQR) of the Environmental Conservation Law, the Batavia Town Board is the only involved agency for the environmental (SEQR) review for this Type I action,

**WHEREAS**, the Town Board has received input from the public, through public meetings and other public outreach, and from other interested agencies, and has taken a hard look at the social, economic and environmental impacts of the adoption of this Comprehensive Plan; and

**WHEREAS**, the findings of this review indicate that the adoption of the Town of Batavia Comprehensive Plan Update will not adversely affect the natural resources of the State and/or the health, safety and welfare of the public, and will help manage growth and redevelopment in the Town in a manner that will have potentially beneficial impacts.

**NOW, THEREFORE BE IT**

**RESOLVED**, that the Batavia Town Board, acting as lead government entity for this action, has determined that the adoption of the Town of Batavia Comprehensive Plan Update will not result in any significant adverse impacts on the environment, and a Negative Declaration is hereby issued, based on the reasons as set forth in the Notice of Determination of Non-Significance; and be it

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**FURTHER RESOLVED**, that the Batavia Town Board recognizes the fact that the acceptance of the Comprehensive Plan Update incurs no direct environmental impacts, and that the implementation of any suggested actions under this plan, which may have potential impacts on the physical development of the Town, may require subsequent SEQRA review; and be it

**FURTHER RESOLVED**, that all appropriate notices and filings shall be completed.

**Second by:** Councilman Zambito  
**APPROVED by unanimous vote (4-0)**

**RESOLUTION NO. 54:**

Councilman Zambito offered the following:

**RESOLUTION ADOPTING THE FINAL DRAFT OF THE  
TOWN OF BATAVIA COMPREHENSIVE MASTER PLAN**

**WHEREAS**, in accordance with Part 617 of the implementing regulations pertaining to Article 8 of the Environmental Conservation Law (State Environmental Quality Review - SEQR), the Town of Batavia has coordinated the environmental review of the Comprehensive Plan and issued a Negative Determination of Significance; and

**WHEREAS**, in accordance with General Municipal Law Section 239, the Town of Batavia referred the draft Comprehensive Plan to the Genesee County Planning Board for review, received a response that specified required modifications and recommended changes, and modified the draft Comprehensive Plan to incorporate the required modifications and recommended changes; and

**WHEREAS**, the Town of Batavia Comprehensive Plan Update will provide a wealth of information about the community and the region, a set of goals and objectives as vision, and recommendations for helping to achieve this vision.

**NOW, THEREFORE BE IT**

**RESOLVED**, that the Batavia Town Board hereby adopts the Comprehensive Plan Update, dated March 2007, as the Town of Batavia's Comprehensive Master Plan in accordance with Section 272-a of New York State Town Law; and be it

**FURTHER RESOLVED**, that a copy of the Comprehensive Plan be filed in the office of the Batavia Town Clerk and that additional copies be provided to appropriate boards, departments and committees for their utilization in performing their duties and responsibilities and to help implement the Plan.

**Second by:** Councilman Gerace  
**APPROVED by unanimous vote (5-0)**

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**Discussion:** The Supervisor thanked Kathy Jasinski, Planning Board Chairwoman and all the parties involved in the completion of the Comprehensive Master Plan Update. More than 30 people were involved with this update, including Fire Service Personnel, Developers, State and Local Representatives.

**RESOLUTION NO. 55:**

Deputy Supervisor Underhill offered the following:

**RESOLUTION TO SUPPORT GENESEE COUNTY  
SENIOR CENTER RECREATION PROGRAM**

**WHEREAS,** the City and Town of Batavia have co-sponsored the Senior Center Recreation Program in the past for benefit of its senior citizens; and

**WHEREAS,** now, Genesee County has assumed the responsibility from the City of Batavia for overseeing the Senior Center Recreation Program;

**WHEREAS,** the Town of Batavia wishes to continue support for the Senior Center Recreation Program to ensure quality of life for its senior residents.

**NOW, THEREFORE, BE IT**

**RESOLVED,** the Batavia Town Board hereby authorizes the expenditure of \$2,695.00 to support the Genesee County Senior Center Recreation Program for the year 2007.

**Second by:** Councilman Gerace

**APPROVED by unanimous vote (4-0)**

**RESOLUTION NO. 56:**

Supervisor Post offered the following:

**HEALTH INSURANCE FOR  
NON-BARGAINING EMPLOYEES**

**WHEREAS,** the Town of Batavia currently provides health insurance to the non-bargaining employees through the New York Teamsters Health & Fund; and

**WHEREAS,** as of April 1, 2007 the NYS Teamsters Health Fund will no longer be the provider of Health Insurance for the non-bargaining employees; and

**WHEREAS,** the Town received quotes for Health Insurance Coverage to reduce the current

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costs to the Town and still maintain the level of benefits to the employees; and

**WHEREAS**, Premier 25 Health Plan through the Genesee County Chamber of Commerce proved to be a savings to the Town; and

**WHEREAS**, the monthly cost for the single plan is \$258.14 and the monthly cost for the family plan is \$645.37; and

**WHEREAS**, the Town Board of the Town of Batavia supports maintaining the level of benefit to the non-bargaining employees by reimbursing them in full for all medical co-pays and partial reimbursement for prescription co-pays.

**NOW, THEREFORE, BE IT**

**RESOLVED**, the Batavia Town Board hereby authorizes Premier 25 Health Plan Health Insurance coverage through Genesee County Chamber of Commerce to the non-bargaining employees who are eligible for health insurance in accordance with the Town's policies and procedures; and be it

**FURTHER RESOLVED**, in a manner consistent with Section 105 of the Internal Revenue Code and subject to a plan document to be adopted by the Town in the near future, the non-bargaining employees will be reimbursed in full for co-pays for doctors visits required under the plan and for prescription co-pays required under the plan at the rate of \$5.00 for "level 1" prescriptions and \$15.00 each for "level 2" and "level 3" for prescriptions as defined under the plan.

**Second by:** Deputy Supervisor Underhill

**APPROVED by unanimous vote (4-0)**

**RESOLUTION NO. 57:**

Councilman Gerace offered the following:

**RURAL DEVELOPMENT APPLICATION-TOWN ATTORNEY**  
**PEARL STREET ROAD WATER DISTRICT**

**WHEREAS**, in order to complete the Rural Development Application for the Pearl Street Road Water District the Town Supervisor is required to execute an agreement between the Town and the Town's Attorney, Kevin Earl for work performed by them in relation to the project; and

**WHEREAS**, the fee for these services are stipulated in the agreement (attached).

**RESOLVED**, the Batavia Town Board hereby authorizes the Supervisor to execute the aforementioned agreement between the Town of Batavia and the Town's Attorney, Kevin Earl for services rendered in connection with the application to Rural Development for the Pearl Street Road Water District, contingent upon USDA Rural Development approval.

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**Second by:** Councilman Zambito  
**APPROVED by unanimous vote (4-0)**

**RESOLUTION NO. 58:**

Councilman Zambito offered the following:

**RURAL DEVELOPMENT APPLICATION-ENGINEERING CONSULTANT**  
**PEARL STREET ROAD WATER DISTRICT**

**WHEREAS**, in order to complete the Rural Development Application for the Pearl Street Road Water District the Town Supervisor is required to execute an agreement between the Town and an Engineering Consultant; and

**WHEREAS**, the Town of Batavia has received Qualification Statements from Engineering Consultants; and

**WHEREAS**, a review and evaluation of these qualifications by the Town Engineer and Town Board will determine the most qualified for this project;

**NOW THEREFORE, BE IT RESOLVED**, the Batavia Town Board hereby authorizes the Supervisor to negotiate and execute the aforementioned agreement between the Town of Batavia and the most qualified Engineering Consultant for an amount less than or equal to the budget amount established in the Map, Plan and Report for services rendered in connection with the application to Rural Development for the Pearl Street Road Water District all contingent upon USDA Rural Development's approval.

**Second by:** Deputy Supervisor Underhill  
**APPROVED by unanimous vote (4-0)**

**RESOLUTION NO. 59:**

Deputy Supervisor Underhill offered the following:

**RURAL DEVELOPMENT APPLICATION-BOND COUNSEL**  
**PEARL STREET ROAD WATER DISTRICT**

**WHEREAS**, in order to complete the Rural Development Application for the Pearl Street Road Water District the Town Supervisor is required to execute an agreement between the Town and Hodgson Russ LLP for work performed by them in relation to the project; and

**WHEREAS**, the fee for these services are stipulated in the agreement (attached).

**RESOLVED**, the Batavia Town Board hereby authorizes the Supervisor to execute the aforementioned agreement between the Town of Batavia and Hodgson Russ LLP for services rendered in connection with the application to Rural Development for the Pearl Street Road Water District,

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contingent upon USDA Rural Development approval.

**Second by:** Councilman Zambito  
**APPROVED by unanimous vote (4-0)**

**RESOLUTION NO. 60:**

Supervisor Post offered the following:

**RURAL DEVELOPMENT APPLICATION-FINANCIAL ADVISER**  
**PEARL STREET ROAD WATER DISTRICT**

**WHEREAS**, in order to complete the Rural Development Application for the Pearl Street Road Water District the Town Supervisor is required to execute an agreement between the Town and Municipal Solutions, Incorporated for work performed by them in relation to the project; and

**WHEREAS**, the fee for these services are stipulated in the agreement (attached).

**RESOLVED**, the Batavia Town Board hereby authorizes the Supervisor to execute the aforementioned agreement between the Town of Batavia and Municipal Solutions, Incorporated for services rendered in connection with the application to Rural Development for the Pearl Street Road Water District, contingent upon USDA Rural Development approval.

**Second by:** Deputy Supervisor Underhill  
**APPROVED by unanimous vote (4-0)**

**RESOLUTION NO. 61:**

Councilman Gerace offered the following:

**RURAL DEVELOPMENT APPLICATION-TOWN ATTORNEY**  
**WILKINSON ROAD WATER DISTRICT**

**WHEREAS**, in order to complete the Rural Development Application for the Wilkinson Road Water District the Town Supervisor is required to execute an agreement between the Town and the Town's Attorney, Kevin Earl for work performed by them in relation to the project; and

**WHEREAS**, the fee for these services are stipulated in the agreement (attached).

**RESOLVED**, the Batavia Town Board hereby authorizes the Supervisor to execute the aforementioned agreement between the Town of Batavia and the Town's Attorney, Kevin Earl for services rendered in connection with the application to Rural Development for the Wilkinson Road Water District, contingent upon USDA Rural Development approval.

**Second by:** Councilman Zambito  
**APPROVED by unanimous vote (4-0)**



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**RESOLUTION NO. 62:**

Councilman Zambito offered the following:

**RURAL DEVELOPMENT APPLICATION-ENGINEERING CONSULTANT**  
**WILKINSON ROAD WATER DISTRICT**

**WHEREAS**, in order to complete the Rural Development Application for the Wilkinson Road Water District the Town Supervisor is required to execute an agreement between the Town and an Engineering Consultant; and

**WHEREAS**, the Town of Batavia has received Qualification Statements from Engineering Consultants; and

**WHEREAS**, a review and evaluation of these qualifications by the Town Engineer and Town Board will determine the most qualified for this project.

**NOW THEREFORE, BE IT RESOLVED**, the Batavia Town Board hereby authorizes the Supervisor to negotiate and execute the aforementioned agreement between the Town of Batavia and the most qualified Engineering Consultant for an amount less than or equal to the budget amount established in the Map, Plan and Report for services rendered in connection with the application to Rural Development for the Wilkinson Road Water District, all contingent upon USDA Rural Development's approval.

**Second by:** Councilman Gerace

**APPROVED by unanimous vote** (4-0)

**RESOLUTION NO. 63:**

Deputy Supervisor Underhill offered the following:

**RURAL DEVELOPMENT APPLICATION-BOND COUNSEL**  
**WILKINSON ROAD WATER DISTRICT**

**WHEREAS**, in order to complete the Rural Development Application for the Wilkinson Road Water District the Town Supervisor is required to execute an agreement between the Town and Hodgson Russ LLP for work performed by them in relation to the project; and

**WHEREAS**, the fee for these services are stipulated in the agreement (attached).

**RESOLVED**, the Batavia Town Board hereby authorizes the Supervisor to execute the aforementioned agreement between the Town of Batavia and Hodgson Russ LLP for services rendered in connection with the application to Rural Development for the Wilkinson Road Water District, contingent upon USDA Rural Development approval.

**Second by:** Councilman Zambito

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**APPROVED by unanimous vote (4-0)**

**RESOLUTION NO. 64:**

Supervisor Post offered the following:

**RURAL DEVELOPMENT APPLICATION-FINANCIAL ADVISER**  
**WILKINSON ROAD WATER DISTRICT**

**WHEREAS**, in order to complete the Rural Development Application for the Wilkinson Road Water District the Town Supervisor is required to execute an agreement between the Town and Municipal Solutions, Incorporated for work performed by them in relation to the project; and

**WHEREAS**, the fee for these services are stipulated in the agreement (attached).

**RESOLVED**, the Batavia Town Board hereby authorizes the Supervisor to execute the aforementioned agreement between the Town of Batavia and Municipal Solutions, Incorporated for services rendered in connection with the application to Rural Development for the Wilkinson Road Water District, contingent upon USDA Rural Development approval.

**Second by:** Deputy Supervisor Underhill

**APPROVED by unanimous vote (4-0)**

**RESOLUTION NO. 65:**

Councilman Gerace offered the following:

**RURAL DEVELOPMENT PROJECT MANAGEMENT SERVICES AGREEMENT –**  
**PEARL STREET ROAD WATER DISTRICT**  
**BETWEEN THE TOWN OF BATAVIA AND STUART I. BROWN ASSOCIATES**

**WHEREAS**, the Supervisor wishes to retain Stuart I. Brown Associates to assist the Town of Batavia in the implementation of the project to be assisted with funding from Rural Development for the construction of improvements to the public water supply system serving the Pearl Street Road Water District at a cost of six thousand dollars (\$6,000.00) (proposal attached).

**NOW, THEREFORE, BE IT RESOLVED**, the Batavia Town Board authorizes the Supervisor to retain Stuart I. Brown Associates for six thousand dollars (\$6,000.00) and execute the agreement between the Town of Batavia and Stuart I. Brown Associates, contingent upon USDA Rural Development approval.

**Seconded by:** Councilman Zambito

**APPROVED by unanimous vote (4-0)**

**RESOLUTION NO. 66:**

Councilman Zambito offered the following:

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**PROPOSAL OF SERVICES AGREEMENT –**  
**BETWEEN THE TOWN OF BATAVIA AND STUART I. BROWN ASSOCIATES**  
**SMALL CITIES GRANT APPLICATION**

**WHEREAS**, the Town of Batavia is planning to submit an application to the Governor's Office for Small Cities Grant to request funding to construct needed improvements to Sanitary Sewer District No. 1; and

**WHEREAS**, Stuart I. Brown Associates submitted a proposal to prepare the Small Cities Grant Application at a cost of six thousand dollars (\$6,000.00) (proposal attached).

**NOW, THEREFORE, BE IT RESOLVED**, the Batavia Town Board hereby authorizes the Supervisor to retain Stuart I. Brown Associates to prepare the 2007 Small Cities Grant Application at a cost of six thousand dollars (\$6,000.00) and to execute an agreement between the Town of Batavia and Stuart I. Brown Associates.

**Second by:** Councilman Gerace  
**APPROVED by unanimous vote** (4-0)

**SUSPEND THE RULES**-Motion Deputy Supervisor Underhill, second Councilman Gerace to suspend the rules to introduce additional resolutions.

**MOTION CARRIED by unanimous vote** (4-0)

**RESOLUTION NO. 67:**

Deputy Supervisor Underhill offered the following:

**RURAL DEVELOPMENT PROJECT MANAGEMENT SERVICES AGREEMENT –**  
**WILKINSON ROAD WATER DISTRICT**  
**BETWEEN THE TOWN OF BATAVIA AND STUART I. BROWN ASSOCIATES**

**WHEREAS**, the Supervisor wishes to retain Stuart I. Brown Associates to assist the Town of Batavia in the implementation of the project to be assisted with funding from Rural Development for the construction of improvements to the public water supply system serving the Wilkinson Road Water District at a cost of six thousand dollars (\$6,000.00) (proposal attached).

**NOW, THEREFORE, BE IT RESOLVED**, the Batavia Town Board authorizes the Supervisor to retain Stuart I. Brown Associates for six thousand dollars (\$6,000.00) and execute the agreement between the Town of Batavia and Stuart I. Brown Associates, contingent upon USDA Rural Development approval.

**Seconded by:** Councilman Zambito  
**APPROVED by unanimous vote** (4-0)

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**RESOLUTION NO.68:**

Supervisor Post offered the following:

**RURAL DEVELOPMENT APPLICATION-ENGINEERING CONSULTANT**  
**SHEPARD/PUTNAM ROADS WATER DISTRICT**

**WHEREAS**, in order to complete the Rural Development Application for the Shepard/Putnam Roads Water District the Town Supervisor is required to execute an agreement between the Town and an Engineering Consultant; and

**WHEREAS**, the Town of Batavia has received Qualification Statements from Engineering Consultants; and

**WHEREAS**, a review and evaluation of these qualifications by the Town Engineer and Town Board will determine the most qualified for this project.

**NOW THEREFORE, BE IT RESOLVED**, the Batavia Town Board hereby authorizes the Supervisor to negotiate and execute the aforementioned agreement between the Town of Batavia and the most qualified Engineering Consultant for an amount less than or equal to the budget amount established in the Map, Plan and Report for services rendered in connection with the application to Rural Development for the Shepard/Putnam Roads Water District, all contingent upon USDA Rural Development's approval.

**Second by:** Deputy Supervisor Underhill

**APPROVED** by unanimous vote (4-0)

**RESOLUTION NO. 69:**

Councilman Gerace offered the following:

**RURAL DEVELOPMENT APPLICATION-AUDITOR**  
**PEARL STREET ROAD WATER DISTRICT**

**WHEREAS**, in order to complete the Rural Development Application for the Pearl Street Road Water District the Town Supervisor is required to execute an agreement between the Town and Freed, Maxick, & Battaglia, P.C. for work performed by them in relation to the project; and

**WHEREAS**, the fee for these services are stipulated in the agreement (attached).

**RESOLVED**, the Batavia Town Board hereby authorizes the Supervisor to execute the aforementioned agreement between the Town of Batavia and Freed, Maxick, & Battaglia, P.C. for services rendered in connection with the application to Rural Development for the Pearl Street Road Water District, contingent upon USDA Rural Development approval.

**Second by:** Deputy Supervisor Underhill

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**APPROVED by unanimous vote (4-0)**

**RESOLUTION NO. 70:**

Councilman Zambito offered the following:

**RURAL DEVELOPMENT APPLICATION-AUDITOR**  
**WILKINSON ROAD WATER DISTRICT**

**WHEREAS**, in order to complete the Rural Development Application for the Wilkinson Road Water District the Town Supervisor is required to execute an agreement between the Town and Freed, Maxick, & Battaglia, P.C. for work performed by them in relation to the project; and

**WHEREAS**, the fee for these services are stipulated in the agreement (attached).

**RESOLVED**, the Batavia Town Board hereby authorizes the Supervisor to execute the aforementioned agreement between the Town of Batavia and Freed, Maxick, & Battaglia, P.C. for services rendered in connection with the application to Rural Development for the Wilkinson Road Water District, contingent upon USDA Rural Development approval

**Second by:** Councilman Gerace

**APPROVED by unanimous vote (4-0)**

**Abstract No. 3-2007:** Motion Councilman Zambito, second Councilman Gerace to authorize the Supervisor to pay the following vouchers:

General	\$145,745.84
Highway	27,877.44
Sewer No. 1	2,993.56
Sewer No. 2	2,249.20
Water	23,114.03
Lovers Ln	<u>7,860.00</u>
<b>TOTAL</b>	<b>\$209,840.07</b>

Check numbers 11186 thru 11188 & ACH 3

**MOTION CARRIED by unanimous vote (4-0)**

**DEPARTMENT REPORTS:**

**Highway Superintendent** reported on the following:

**Road Damage**-Due to the recent flooding, Route 98 traffic was detoured to Rose and Donahue Roads and the traffic caused damage to both of these roads. Mr. Cook would like to meet with the Highway Committee to discuss the damage that was done to approximately 2.3 miles of Town roads.

The Town Supervisor has discussed this with Assemblyman Steve Hawley, Senator Mary Lou Rath, and Genesee County Highway Superintendent Tim Hens. They all have indicated that they will

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work with us on addressing the damage and possible funding in conjunction with the Route 98 improvements.

Mr. Post requested that Mr. Cook get the dollar figures and miles of road to emergency management and involved agencies regarding this issue.

**Supervisor Post reported on the following for the Water/Wastewater Department:**

**Water Samples-** The Water Maintenance men have been taking water samples to comply with the requirements.

**Ellicott Street Road Water-** There has been some discoloration in the private water supplies for Ellicott Street Road residents.

**Water Districts-** Moving forward with the process of the proposed Water Districts.

**West Main/ Lewiston Road Sanitary Sewer Improvements** is moving ahead.

**Lovers Lane Water District** is 99% completed.

**Planning Board Chairwoman** reported that the Planning Board is working with Cor Development to move ahead with their project. Also Cor and Wal Mart's Engineers are working together regarding the landscaping.

**Building Inspector** reported on the following:

**Alvord Construction-** He is composing a letter in response to Mr. Alvord's letter regarding the new mandated New York State Code Enforcement Program. Mr. Worthington is going to send him supporting documentation.

**Fee Schedule-** Working on the new fee schedule and will be forthcoming in the next month or two.

**Town Assessor reported** that the "Notice of Assessments", as mandated by law, are going to be mailed out by the end of this week. There will be resources available for the public to review at the Town Hall, the Richmond Library and on the website regarding the new tentative assessments.

The Supervisor thanked the Assessor for the extra time he has put in to this update. The Assessor expressed his appreciation to the Town Board for their support and making it possible (referring to the online assessment information).

**Supervisor's Report:**

**Status Report** on expenditures and revenues is available for the Board's review. The investment sheets will be entered into the minute book. The monies are invested in CD's and are paying a rate of 5.15%.

**GAM-** The next GAM meeting will be in Pembroke on April 19, 2007.

**Work Session** -There will be a work session on Wednesday, March 28 at 6:00 P.M.

**FINANCE SCHOOL-**Motion Councilman Zambito, second Councilman Gerace authorizing the Secretary to the Supervisor to attend Finance & Management School May 16 through May 18, 2007 in Rochester at a cost of \$200.00.

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**MOTION CARRIED by unanimous vote (4-0)**

**SURPLUS COMPUTER SYSTEMS-**Motion Deputy Supervisor Underhill, second Councilman Zambito hereby declare the Assessor's and the Town Clerk's (custom built by Power Graphics) computer systems surplus equipment and authorize the Assessor and the Town Clerk to use these at their homes for Town business.

**MOTION CARRIED by unanimous vote (4-0)**

**BOARD OF ELECTIONS-**Motion Councilman Gerace, second Councilman Zambito authorizing the NYS Board of Elections to use the Town Hall Meeting Room on June 13 from 8:30 A.M. to 12:30 P.M. to conduct a Finance Seminar.

**MOTION CARRIED by unanimous vote (4-0)**

**COMMUNICATIONS:**

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

**February Town Clerk's Report-**Collected \$3,730.62 in State, County and Local Revenues for the month of February. The Local Share of \$3,558.22 was remitted to the Town Supervisor.

**2007 Town/County Taxes-** Collected \$106,530.51 in Town/County Taxes for the month of February. \$1,054.80 was remitted to the Supervisor for Penalties and the remainder to the County.

**2010 Census Workshop-** Attended a Census Workshop with the Town Assessor on March 8, which was very informative. The Town will be receiving a mailing in July to register with Local Update Census Addresses to participate in the census.

**COMMITTEE REPORTS:**

**Time Warner-** Councilman Zambito reported the Time Warner Franchise Agreement has been extended to September 2007.

**Fire-** Deputy Supervisor Underhill reported that he attended the Town of Batavia Fireman's Installation Banquet and the Fireman expressed their sincere thanks to the Town Board for all the Town's support and the great working relationship they have with the Board.

The Supervisor would like the Fire Committee to meet with the Pembroke Fire Department tentatively April 2.

**ADJOURNMENT:**

Motion Councilman Zambito, second Councilman Gerace to adjourn the Regular Town Board Meeting at 8:02 P.M.

**MOTION CARRIED by unanimous vote (4-0)**

Respectfully submitted,

Teressa M. Morasco  
Town Clerk