

**JANUARY 17, 2007
REGULAR TOWN BOARD MEETING**

Town Hall

7:00 P.M.

Deputy Supervisor Underhill led the pledge to the flag.

Roll Call

Present: Supervisor Post
Deputy Supervisor Underhill
Councilwoman Michalak
Councilman Gerace (arrived 7:07)
Councilman Zambito

Others

Present: Town Clerk Morasco
Highway Superintendent Cook
Building Inspector Worthington

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

MINUTES:

December 20, 2006 Public Hearing-“Fire Protection contract for 2007”, December 20, 2006 Public Hearing-“Establishment of the Putnam & Shepard Road Water District”, December 20, 2006 Public Hearing-“Establishment of the Wilkinson Road Water District”, December 20, 2006 Regular Town Board Meeting, and the January 3, 2007 Organizational Meeting: Motion Deputy Supervisor Underhill, second Councilman Zambito to approve the minutes as written.

MOTION CARRIED by unanimous vote (4-0)

RESOLUTION NO. 16:

Deputy Supervisor Underhill offered the following:

SEQR DETERMINATION OF NON-SIGNIFICANCE

WHEREAS, in accordance with the State Environmental Quality Review Act (SEQRA) Establishment of a Water District is an Unlisted action;

WHEREAS, the Batavia Town Board acting as Lead Agency has reviewed the Short Environmental Assessment Form addressing the Establishment of the Pearl Street Road Water District (attached) and;

WHEREAS, it has been determined that the Establishment of the Water District will not have an adverse impact on the environment;

NOW, THEREFORE, BE IT

RESOLVED, The Town Board declares that, based on the Environmental Record, which has been prepared, the project will result in no major impacts and, therefore, will not cause significant damage to

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the environment. A Negative Declaration under SEQR is therefore issued for this project.

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

RESOLUTION NO. 17:

Supervisor Post offered the following:

**RESOLUTION AND ORDER FOR ESTABLISHMENT
OF THE PEARL STREET ROAD WATER DISTRICT
FOR A PORTION OF THE TOWN OF BATAVIA**

WHEREAS, the Town Board of the Town of Batavia, duly adopted a Resolution directing Gregory H. Post, the Town Supervisor of the Town of Batavia to file a map, plan and report as prepared by the Town's engineer for providing the facilities, improvements or services in a portion of the Town of Batavia, wherein a water district was proposed to be established, as hereinafter described, and

WHEREAS, after the said Town Supervisor duly filed said map, plan and report in the office of the Town Clerk of the Town of Batavia on November 8, 2006, and the said Town Board, did on December 20, 2006, duly adopt an Order reciting a description of the boundaries of the proposed district, the maximum amount proposed to be expended for the improvement, the proposed method of financing to be employed, the fact that a plan, map and report describing the same are on file in the Town Clerk's Office for public inspection and specifying that said Town Board shall meet at the Town Hall on the 17th day of January, 2007, for the purpose of conducting a public hearing on such proposal to establish the water district with the specified improvements and to hear all persons interested in the subject thereof concerning the same, and

WHEREAS, a "Petition to Request Water District " was filed in the Batavia Town Clerk's Office on December 1, 2006, which was signed by a number of owners within said district, which was greater than the percentage required by law, and

WHEREAS, the improvements proposed are as follows: a project to provide a safe and reliable potable water supply and fire protection to certain residences in the proposed Pearl Street Road Water District. The overall project will consist of the construction and installation of approximately 2,700 linear feet of eight inch water main along the portion of Pearl Street Road starting at the intersection of Pearl Street Road and Hartshorn Road at the northeast corner of land designated by Tax Map Parcel No. 14-1-7, to connect with an existing water district, and then running southeasterly along Pearl Street Road to the Town of Pembroke line; together with all related right-of-way costs, site work and other ancillary work, including hydrants, valves, apparatus, and other improvements and costs incidental thereto (referred to herein as "water improvement"), and

WHEREAS, copies of the aforesaid said Order for a Public Hearing were duly published and posted according to law, and said Town Board did, at the time and place specified in said Order, duly meet and consider such proposal and heard all persons interested in the subject thereof, who appeared at

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such time and place, concerning the same, and

WHEREAS, the evidence offered at such hearing requires that the Town Board make the determinations hereinafter made;

NOW, THEREFORE, BE IT RESOLVED, by the Town Board of the Town of Batavia, in the County of Genesee, that it be and hereby is determined as follows:

(1) The aforesaid "Petition to Request Water District" was signed, and acknowledged or proved or authenticated, as required by law and is otherwise sufficient.

(2) The Notice of Hearing was published and posted as required by law and is otherwise sufficient.

(3) That all the property and property owners, within the proposed water district are benefited thereby.

(4) That all of the property and property owners benefited are included within the proposed water district.

(5) It is in the public interest to establish the proposed water district as hereinafter described; and be it

FURTHER RESOLVED, that the Town Board does hereby approve the establishment of a Water District as hereinafter described to be known as the Town of Batavia Pearl Street Road Water District. Said Water District being described on **EXHIBIT A**, attached hereto and made a part hereof; and be it

FURTHER RESOLVED, that the maximum amount proposed to be expended for such water improvement is \$239,000.00, which is planned to be financed by the issuance of serial bonds in an amount not to exceed \$130,000.00, offset by any funds to be received from the United States of America, and/or the State of New York, and/or the County of Genesee, and/or local grants; including, but not limited to, a USDA Rural Development Agency grant of \$109,900.00, and be it

FURTHER RESOLVED that the proposed debt of \$130,000.00 from a loan from the USDA Rural Development Agency shall be paid over a 38 year term at 4.5% interest, thereby creating an annual debt service (assuming 14 units) of \$515.00 per typical property user in the proposed district, which is a single family home, and be it

FURTHER RESOLVED that a typical household uses 63,000 gallons of water per year and the estimated cost of the water to be purchased by the water district's users is a total of \$3.70 per 1,000 gallons used, thereby the average household can expect to additionally pay approximately \$234.00 per year for water purchase above and beyond the debt service, and be it

FURTHER RESOLVED that based upon the foregoing estimates, the total annual cost of the typical property in the proposed district will be \$749.00 per year, and be it

FURTHER RESOLVED that payment of the debt service will be made by levy and collection of special assessments from the several lots and parcels of lands within the water district, which the

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Town Board shall determine and specify to be specially benefited thereby, so much upon and from each as shall be in just proportion of the amount of benefit conferred upon the same, to pay the principal of and interest on said bonds, as the same shall become due and payable, and be it

FURTHER RESOLVED that each property will also have to pay for service from their home to the road right-of-way, incurring an estimated one time cost of approximately \$125.00 for a meter, plus approximately \$8.00-\$12.00 per linear feet of pipe, plus potential well abandonment or separation charges, as well as any internal plumbing charges, and be it

FURTHER RESOLVED that this Resolution and Order is not subject to a permissive referendum; and be it

FURTHER RESOLVED that within ten (10) days after the adoption hereof, the Town Clerk shall post and publish as provided by law a Notice setting forth the date of the adoption of this Resolution and Order and containing an abstract of this Resolution and Order concisely stating the purpose and effect hereof; and be it

FURTHER RESOLVED, that the Town Supervisor, assisted by the Town Attorney and Town Bond Counsel will prepare an application to the Office of the State Comptroller, Department of Audit and Control for approval of the formation of this Water District, and be it

FURTHER RESOLVED, that the Town Clerk be and she hereby is authorized and directed to file within ten (10) days hereof a certified copy of this Resolution and Order in the Office of the Genesee County Clerk, and also in the Office of the State Department of Audit and Control.

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

RESOLUTION NO. 18:

Councilwoman Michalak offered the following:

BIDS FOR TRANSFER STATION

RESOLVED, the Town of Batavia will receive sealed bids for refuse removal at the Town of Batavia Transfer Station.

FURTHER RESOLVED, interested bidders may obtain service specifications from the Batavia Town Hall, 3833 West Main Street Road, Batavia, New York 14020, or by calling 343-1729. Contact person Town Clerk, Teressa M. Morasco. All bids must be received by 3:00 P.M. on Thursday, February 15, 2007 at the Batavia Town Hall. Bids will be opened at that time. The Town of Batavia reserves the right to reject any and all bids. All bids must be accompanied by a non-collusion statement in order to be considered.

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

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NOTICE TO BIDDERS

The Town of Batavia will receive sealed bids for refuse removal at the Town of Batavia Transfer Station.

Interested bidders may obtain service specifications from the Batavia Town Hall, 3833 West Main Street Road, Batavia, New York, 14020 or by calling 343-1729. Contact person Town Clerk, Teresa M. Morasco. All bids must be received by 3:00 P.M. on Thursday, February 15, 2007 at the Batavia Town Hall. Bids will be opened at that time. The Town of Batavia reserves the right to reject any and all bids. All bids must be accompanied by a non-collusion statement in order to be considered.

Dated: January 17, 2007

Teresa M. Morasco
Batavia Town Clerk

RESOLUTION NO. 19:

Councilman Gerace offered the following:

AUTHORIZING BUDGET TRANSFERS FOR 2006

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

General Fund:

<u>From</u>	<u>Amount</u>	<u>To</u>
A1110.200 Justice – Equipment	\$279.00	A1110.105 Justices Security
A1110.200 Justice – Equipment	\$91.15	A1110.401 Justices Contractual
A1110.201 Justice – Equipment	\$283.50	A1110.106 Justices Security
A1310.100 Town Mngr. Personal	\$625.18	A1220.102 Supv. Sec. Personal Svc.
A1310.100 Town Mngr. Personal	\$344.15	A1220.101 Supv. Bookkeeper Svc.
A1310.100 Town Mngr. Personal	\$124.88	A1220.101 Supv. Sec. Personal Svc.
A1310.100 Town Mngr. Personal	\$899.48	A1220.400 Supv. Contractual
A1310.100 Town Mngr. Personal	\$158.53	A1220.401 Bookkeeper Contractual
A1355.102 Assessor – Litigation	\$14.64	A1355.101 Assessor Stipend
A1410.200 Town Clerk – Equipment	\$290.06	A1410.400 Town Clerk-Contractual
A1411.400 Clerk/Typist – Contractual	\$4.14	A1410.400 Town Clerk- Contractual
A3620.200 Bldg & Safety – Equip.	\$613.23	A3620.400 Bldg & Safety - Contractual
A5132.400 Garage - Utilities	\$1151.25	A5182.400 St. Lighting - Contractual
A7110.102 Parks – Pers Svc	\$83.52	A7110.400 Parks - Contractual
A8020.102 Planning Board - Members	\$184.00	A8020.101 Planning Board – Secretary
A8020.102 Planning Board - Members	\$14.76	A8020.400 Planning Board – Supplies
A8020.102 Planning Board - Members	\$1425.00	A8020.402 Planning Board – Engineers
A8162.100 Trs St – Pers Svc	\$395.98	A8162.400 Trs St - Contractual
A5132.400 Garage - Utilities	\$213.28	A8161.400 Recycling Contractual
A8164.403 Sanitary LF – Env Test	\$194.25	A8164.407 Sanitary LF Leachate Trsp.
A9089.801 Eye Exam & Lenses	\$407.60	A9089.800 In Lieu of Health Ins.
A8165.102 Superfund LF Pers Svc	\$1512.00	A8165.402 Superfund LF Engineer

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A8165.401 Superfund LF filters	\$100.00	A8165.402 Superfund LF Engineer
A8165.403 Superfund LF Env Test	\$819.63	A8165.402 Superfund LF Engineer
A8165.405 Superfund LF TRreatment	\$654.50	A8165.402 Superfund LF Engineer
A8165.407 Superfund LF Transportation	\$1168.90	A8165.402 Superfund LF Engineer
A8165.407 Superfund LF Insurance	\$269.22	A8165.402 Superfund LF Engineer
A8165.407 Superfund LF Insurance	\$330.78	A8165.406 Superfund LF Maintenance
A8164.102 LF Pers Svc	\$1300.40	A8165.402 Superfund LF Engineer
A8164.401 LF Filters	\$100.00	A8165.402 Superfund LF Engineer
A8164.402 Landfill Engineering	\$2000.00	A8165.402 Superfund LF Engineer
A8164.403 LF Env Testing	\$954.05	A8165.402 Superfund LF Engineer
A8164.404 LF Legal	\$200.00	A8165.402 Superfund LF Engineer
A8164.405 LF Leachate	\$61.50	A8165.402 Superfund LF Engineer
A8164.406 LF Maintenance	\$2000.00	A8165.402 Superfund LF Engineer
A8164.406 LF Insurance	\$100.00	A8165.402 Superfund LF Engineer
A1620.200 Bldg. Equipment	\$3476.52	A5132.200 Garage – Equipment
A1420.400 Attorney - Contractual	\$154.00	A1420.403 Attorney - Union
A1440.400 Engineer – Contractual	\$1591.03	A1440.101 Engineer – Pers Svc
A1440.400 Engineer – Contractual	\$85.38	A1440.401 Engineer - Contractual
A1620.402 Bldg. operating Exp.	\$266.43	A1620.403 Bldg & Janitorial
A1620.402 Bldg. operating Exp.	\$357.95	A1620.404 Town Hall - Contractual
A1620.402 Bldg. operating Exp.	\$16.35	A1680.400 Central Proc - Contractual
A1620.402 Bldg. operating Exp.	\$85.00	A1680.402 Central Proc - Website
A1990.400 Contingency	\$13533.62	A8030.400 Research & Development
A1990.400 Contingency	\$12625.20	A8165.404 Superfund LF - Legal
A1310.100 Town Manager	\$155.62	A8165.402 Superfund LF - Engineering
A1441.100 Clerk Typist Pers Svc	\$3861.71	A9030.800 Social security
A1441.100 Clerk Typist Pers Svc	\$961.54	A9060.800 Health Insurance
A1990.400 Contingency	\$13533.62	A8030.400 Research & Development
A1620.200 Bldg Equip.	\$3500.00	A1420.402 Attorney – Legal Ads
A1620.400 Bldg. Utilities	\$6239.41	A1420.402 Attorney – Legal Ads

Highway Fund:

DA5110.100 Gen Repairs - Pers Svc	\$140.80	DA5140.100 Brush & Weeds- Pers Svc
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Sewer No. 1:

SS18110.400 Sewer Admin.	\$8.85	SS11910.400 Unallocated Ins.
SS18110.400 Sewer Admin.	\$.60	SS18110.100 Sewer Admin Pers Svc

Sewer No. 2:

SS28110.400 Sewer Admin.	\$8.86	SS21910.400 Unallocated Ins.
SS28120.102 Sewer Pers Svc PT	\$51.59	SS28120.103 Sewer Pers Svc Morrow

Second by: Councilman Zambito

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APPROVED by unanimous vote (5-0)

RESOLUTION NO. 20:

Councilman Zambito offered the following:

ALFRED TECHNICAL & ANALYTICAL LABORATORY
PROPOSAL – BATAVIA LANDFILL

WHEREAS, the Town of Batavia has received a proposal from Alfred Technical and Analytical Laboratory to perform services related to the Town of Batavia Sanitary landfill.

RESOLVED, the Batavia Town Board hereby engages Alfred Technical and Analytical Laboratory to perform Environmental Groundwater Monitoring for the calendar year 2007, as proposed at the Town of Batavia Sanitary Landfill Site at an annual cost of eight thousand, five hundred, sixty-five dollars and twelve cents (\$8,565.12) (proposal attached).

Second by: Deputy Supervisor Underhill
APPROVED by unanimous vote (5-0)

RESOLUTION NO. 21:

Deputy Supervisor Underhill offered the following:

CALLING A PUBLIC HEARING TO BLOCK/CLOSE
PARK ROAD FROM TRAFFIC MARCH 17, 2007

WHEREAS, the St. Patrick's Day Parade will be held at Western Off Track Betting (OTB)/Batavia Downs Gaming on Park Road on Saturday, March 17, 2007; and

WHEREAS, OTB/Batavia Downs Gaming has requested of the Town of Batavia to block/close Park Road from traffic starting at the second entry into the Holiday Inn heading northwest to the first entrance at Batavia Downs Gaming. Starting at approximately 10:30 AM until 11:30 AM (request attached); and

WHEREAS, pursuant to Section 64, sub. 10-b of the New York State Town Law before a Town road can be blocked from traffic for an event, a public hearing on at least five (5) days notice must be held; and

WHEREAS, once the hearing is held the Town Board may then adopt regulations setting forth terms and conditions for issuance of a permit by the Town Highway Superintendent to block a Town road or highway from traffic to accommodate an event.

NOW, THEREFORE, BE IT

RESOLVED, that said Public Hearing will be held before the Town Board at the Batavia Town Hall, 3833 West Main Street Road, Batavia, New York on Wednesday, February 21, 2007 at 6:50 o'clock p.m. at which time and place all interested parties will be heard; and be it

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FURTHER RESOLVED, that the Town Clerk shall cause a Notice of Public Hearing to be published once in the Daily News, a newspaper of general circulation in the Town, at least five (5) days prior to said date of the Public Hearing, which notice shall contain the time and place of said hearing, and the purpose thereof and in addition thereof that the Town Clerk shall cause a copy of the notice to be posted on the signboard of the Town Hall.

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

NOTICE OF PUBLIC HEARING

PUBLIC NOTICE is hereby given that the Batavia Town Board will conduct a Public Hearing to consider the blocking/closing of Park Road from traffic starting at the second entry into the Holiday Inn, heading northwest to the first entrance at Batavia Downs Gaming Saturday, March 17, 2007 to accommodate the St. Patrick's Day Parade.

Said Public Hearing will be conducted at the Town of Batavia Town Hall, 3833 West Main Street Road, Batavia, New York, on Wednesday, February 21, 2007 at 6:50 o'clock p.m. at time and place all interested persons will be heard.

Teresa M. Morasco
Batavia Town Clerk

Dated: January 17, 2007

RESOLUTION NO. 22:

Supervisor Post offered the following:

PROPOSAL OF SERVICES AGREEMENT –
BETWEEN THE TOWN OF BATAVIA AND STUART I. BROWN ASSOCIATES

WHEREAS, the Town wishes to retain Stuart I. Brown Associates to prepare a GIS Needs Assessment for the Town of Batavia at a cost of seven thousand, six hundred, seventy dollars (\$7,670.00) (proposal attached); and

WHEREAS, the work will be structured and focused to support the Town's intent to submit an application to the State Archives for a GIS implementation grant.

NOW, THEREFORE, BE IT RESOLVED, the Batavia Town Board hereby authorizes the Supervisor to retain Stuart I. Brown Associates to prepare a GIS Needs Assessment at a cost of seven thousand, six hundred, seventy dollars (\$7,670.00) and to execute an agreement between the Town of Batavia and Stuart I. Brown Associates.

Second by: Deputy Supervisor Underhill

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APPROVED by unanimous vote (5-0)

RESOLUTION NO. 23:

Councilwoman Michalak offered the following:

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

WHEREAS, the Town wishes to retain Stuart I. Brown Associates to prepare two applications for funding for the Town of Batavia under the Records Management program administered by State Archives, “Local Government Records Management Improvement Fund (LGRMIF); and

WHEREAS, one application for funding is to establish an inactive records center on the second floor of the Town Hall and the other is to support the development of a geographic information system. The cost to prepare the first application is \$1,500.00 and \$1,200.00 for the second application (proposal attached).

NOW, THEREFORE, BE IT RESOLVED, the Batavia Town Board hereby authorizes the Supervisor to retain Stuart I. Brown Associates for the preparation LGRMIF Applications at a cost not to exceed two thousand, seven hundred dollars (\$2,700.00) and to execute an agreement between the Town of Batavia and Stuart I. Brown Associates.

Second by: Councilman Zambito

APPROVED by unanimous vote (5-0)

RESOLUTION NO. 24:

Councilman Gerace offered the following:

**AGREEMENT BETWEEN THE TOWN OF BATAVIA
AND CLINTON CROSSINGS RE: WATER METERS**

WHEREAS, Biskon Corporation, requested that water meters be installed at each individual occupancy dwelling units at Clinton Crossing (each building has two dwelling units);

NOW, THEREFORE BE IT,

RESOLVED, the Batavia Town Board hereby authorizes the Supervisor to execute the attached Agreement between the Town of Batavia and Biskon Corporation.

Second by: Councilman Zambito

APPROVED by unanimous vote (5-0)

RESOLUTION NO. 25:

Councilman Zambito offered the following:

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**RESOLUTION TO AUTHORIZE APPLICATION TO STATE COMPTROLLER
FOR PUTNAM AND SHEPARD ROADS WATER DISTRICT**

WHEREAS, the Town Board of the Town of Batavia, adopted a Resolution on December 20, 2006, establishing a water district on portions of Putnam and Shepard Roads 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:

- (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 Putnam and Shepard Roads 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 (5-0)

RESOLUTION NO. 26:

Deputy Supervisor Underhill offered the following:

**RESOLUTION TO AUTHORIZE APPLICATION TO STATE COMPTROLLER
FOR WILKINSON ROAD WATER DISTRICT**

WHEREAS, the Town Board of the Town of Batavia, adopted a Resolution on December 20, 2006, establishing a water district on portions of Wilkinson 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

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follows:

- (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 Wilkinson 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: Councilwoman Michalak

Approved on Roll Call as follows:

Supervisor Gregory H. Post	Yes
Deputy Supervisor Daniel Underhill	Yes
Councilman Chad Zambito	Yes
Councilwoman Patti Michalak	Yes
Councilman John Gerace	Yes

RESOLUTION NO. 27:

Supervisor Post offered the following:

MEDICAL INSURANCE/AND IN LIEU OF

WHEREAS, the Town of Batavia pays 100% of the premium for health insurance for elected officials and regular full-time employees or offers an in lieu of payment of \$2,700.00; and

WHEREAS, the Town of Batavia wishes to contribute 75% towards regular part-time employees health insurance premium, who is regularly scheduled to work 30 hours per week, 50%, if regularly scheduled to work 19.5 or more hours per week or an in lieu of payment of \$2,700.00.

NOW, THEREFORE, BE IT

RESOLVED, the Batavia Town Board hereby authorizes 100% health insurance coverage for elected officials and regular full-time employees, 75% to regular part-time employees, who is regularly scheduled to work 30 hours per week, 50%, for regularly scheduled to work 19.5 or more hours per week or an in lieu of payment of \$2,700.00.

Second by: Councilman Zambito

APPROVED by unanimous vote (5-0)

SUSPEND RULES: Motion Deputy Supervisor Underhill, second Councilman Zambito to suspend the rules to introduce additional resolutions.

MOTION CARRIED by unanimous vote (5-0)

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RESOLUTION NO. 28:

Councilwoman Michalak offered the following:

**ESTABLISH LINE ITEM A3620.402
BUILDING & SAFETY-ENGINEERING**

WHEREAS, a line item needs to be established to account for engineering costs related to the review of building plans.

NOW THEREFORE, BE IT

RESOLVED, the Batavia Town Board hereby establishes Building and Safety line item, A3620.402 to account for engineering costs; and be it

FURTHER RESOLVED that the Batavia Town Board hereby authorizes \$20,000.00 to be transferred from line item A1990.400 Contingency to line item A3620.402 Engineering.

Second by: Councilman Gerace

APPROVED by unanimous vote (5-0)

RESOLUTION NO. 29:

Councilman Gerace offered the following:

AMENDMENT TO RESOLUTION 1 OF 2007

GENERAL ORGANIZATIONAL RESOLUTION

RESOLVED, the Batavia Town Board hereby amends resolution number 1 of 2007, item e, office hours to: "Office hours at the Town Hall are hereby set at 8:30 A.M. until 4:30 P.M., Monday through Friday, except recognized holidays.

Second by: Councilman Zambito

APPROVED by unanimous vote (5-0)

The Supervisor thanked the Town Clerk for suggesting to change the hours.

RESOLUTION NO. 30:

Councilman Zambito offered the following:

AMENDMENT TO RESOLUTION 2 OF 2007

ADOPTION OF SALARIES FOR 2007

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RESOLVED, the Batavia Town Board hereby amends resolution number 2 of 2007, entitled "Adoption of Salaries for 2007" by deleting; Additional Part Time MEO \$10.00 to \$14.00per hour and adding, Temporary Highway Employees (MEO) \$15.00 to \$20.00 per hour.

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

RESOLUTION NO. 31:

Deputy Supervisor Underhill offered the following:

RESCIND RESOLUTION 3 OF 2007
RESOLUTION ESTABLISHING WORKDAY FOR
ELECTED AND APPOINTED OFFICIALS

RESOLVED, the Batavia Town Board hereby rescinds Resolution 3 of 2007, entitled, "Resolution establishing Workday for Elected and Appointed Officials.

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

RESOLUTION NO. 32:

Supervisor Post offered the following:

RESOLUTION ESTABLISHING WORKDAY FOR
ELECTED AND APPOINTED OFFICIALS

RESOLVED, the Batavia Town Board hereby establishes the following as a standard workday for elected and appointed officials for the purpose of determining days worked reportable to the New York State And Local Employees' Retirement System:

ELECTED OFFICIALS

Supervisor
Councilperson
Town Justice

Five day work week, six (6) hour day.

Town Clerk/Tax Collector
Superintendent of Highways

Five day work week, eight (8) hour day.

APPOINTED OFFICIALS

Members of Board of Zoning Appeals

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Members of Planning Board
Town Engineer
Secretary to Supervisor
Clerk-Typist
Financial Clerk-Typist
Clerk-Stenographer
Court Officer
Building Inspector, Part-time

Five day work week, six (6) hour day.

Deputy Town Clerk
Water/Sewer Billing Clerk
Building Inspector
Assessor

Five day work week, eight (8) hour day.

Second by: Councilwoman Michalak
APPROVED by unanimous vote (5-0)

Abstract No. 13-2006, No. 14-2006, and 1-2007: Motion Councilman Gerace, second Councilman Zambito to authorize the Supervisor to pay the following vouchers:

General	\$ 387.41	General	\$ 38,184.80	General	\$118,551.59
Highway		Highway	3,125.09	Highway	9,714.24
Sewer No. 1	554.82	Sewer No. 1	31.63	Sewer No. 1	877.80
Sewer No. 2	278.55	Sewer No. 2	242.76	Sewer No. 2	1,376.78
Water		Water	229.81	Water	8,648.69
Lovers Lane		Lovers Lane	<u>3,000.00</u>	Lovers Lane	
TOTAL	\$1,220.78	TOTAL	44,814.09	TOTAL	\$139,169.10

Check numbers 10986 thru 11080

MOTION CARRIED by unanimous vote (5-0)

DEPARTMENT REPORTS:

Highway Superintendent reported on the following:

RFP'S for Uniforms- He sent out Requests for Proposals for our uniform and rug service. He will have information for the next meeting.

Water/Wastewater Department-Town Supervisor reported on the following:

Lovers Lane Watermain is in and operating.

Lewiston/West Main Roads sanitary sewer project is continuing.

Water/Wastewater Bills will be out February 1.

JANUARY 17, 2007
REGULAR TOWN BOARD MEETING

Building Inspector reported on the following:

Tour of Ashley Furniture-Next month there will be a tour of Ashley Furniture. He will advise the Board's of the confirmed date.

BUILDING INSPECTOR CONFERENCE- Motion Councilman Zambito, second Councilwoman Michalak authorizing Clinton Worthington to attend the Northern Adirondack Code Enforcement Annual Educational Conference, March 5 through March 8, 2007 and Bruce Gerould to attend Finger Lakes Building Officials Annual Conference March 19 through March 22, 2007.

MOTION CARRIED by unanimous vote (5-0)

Comprehensive Master Plan (CMP) Public Hearing is tentatively set for January 31, 2007. A brief discussion was held on the development of updating the CMP. The Building Inspector commended Stuart Brown Associates and the Supervisor commended everyone for all their time and dedication in this update.

Building Permit Fee Schedule- He is working on the new building permit fee schedule and will possibly have it for the next meeting.

Logo-Asked the Town Board if they have considered moving ahead with a logo for the Town. The Supervisor expressed that once the CMP is finished, then it would be considered. The Supervisor would like to look back on previous logos that had been drafted for the Town.

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 5.21%.

GAM meeting is Thursday, January 18 at Stafford Town Hall at 12:30 P.M.

Work Session -Scheduled for Wednesday, January 24 at 6:00 P.M.

LOCAL GOVERNMENT CONFERENCE-Motion authorizing the Town Council & the Town Clerk to attend Local Government Conference in Albany March 4 to March 6, 2007.

MOTION CARRIED by unanimous vote (5-0)

FIVE STAR CREDIT CARD PAYMENT-Motion authorizing ACH payment for the Five Star Visa Credit Card vouchers after Town Boards approval.

MOTION CARRIED by unanimous vote (5-0)

COMMUNITY ACTION CENTER-Motion Deputy Supervisor Underhill, second Councilman Gerace authorizing Community Action Center to use a room at the Town Hall for a one day two hour segment, the week of February 12 for their Nutrition Outreach and Education Program.

MOTION CARRIED by unanimous vote (5-0)

COMMUNICATIONS:

The Town Clerk reported on the following:

JANUARY 17, 2007
REGULAR TOWN BOARD MEETING

December Monthly Report- The Town Clerk's office December Monthly report total was \$2,832.91.

New York State Association of Towns annual training and meeting will be held February 18 – 21, 2007 at the Hilton New York & Towers, New York City.

COMMITTEE REPORTS:

Sex Offender-Councilwoman Michalak reported she has drafted the sex offenders ordinance.

Fire- Deputy Supervisor Underhill reported he will be attending a Town of Fire Department meeting on Monday, January 22, 2007.

ADJOURNMENT:

Motion Councilman Gerace, second Councilman Zambito to adjourn the Regular Town Board Meeting at 7:50 P.M.

MOTION CARRIED by unanimous vote (5-0)

Respectfully submitted,

Teressa M. Morasco
Town Clerk