

**MARCH 5, 2008**  
**SPECIAL TOWN BOARD MEETING**

**Town Hall**

**Immediately Following 7:00 P.M. Public Hearing**

Al Lang, Deputy Supervisor led the pledge to the flag

**Roll Call**

**Present:** Supervisor Post  
Deputy Supervisor Underhill  
Councilman Lang  
Councilman Michalak  
Councilman Gerace

**Others**

**Present:** Town Clerk Morasco  
Steve Lockwood, Genesee County Economic Development Center (GCEDC) Vice  
President of Product Management

The Supervisor called the meeting to order at 7.25 P.M.

**RESOLUTION NO. 60:**

Supervisor Post offered the following:

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

**WHEREAS**, Certified Graphics & Communications, LLC plans to purchase and renovate an existing 24,000 square foot facility at 4300 Commerce Drive within the Batavia Gateway Corporate Park in the Town of Batavia, and

**WHEREAS**, Certified Graphics & Communications, LLC plans to create 28 new jobs for Genesee County and New York State at the site, and

**WHEREAS** Certified Graphics & Communications, LLC requires financial support from the Governor's Office for Small Cities to finance part of the project. Now, therefore, be it

**RESOLVED**, That the Batavia Town Council hereby authorizes the Supervisor to submit a grant application in the amount of \$416,000 to the Governor's Office for Small Cities, based on the estimated job creation, and Be it further

**RESOLVED**, That the Batavia Town Council authorizes the Supervisor to execute all other necessary documents associated with the Governor's Office for Small Cities grant approval, subject to review by counsel, and Be it further

**RESOLVED**, That the Batavia Town Council authorizes the Supervisor to serve as "Certifying Officer" for the purposes of assuring compliance with all federal environmental regulations and representing the Town of Batavia in any challenge to such compliance of the Small Cities grant.

**Second by:** Councilman Gerace

**Ayes:** Post, Gerace, Michalak, Underhill, Lang

**MARCH 5, 2008  
SPECIAL TOWN BOARD MEETING**

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

**RESOLUTION NO. 61:**

Councilman Gerace offered the following:

**APPROVAL OF CHANGE ORDER NO. 1  
2007 WATER SYSTEM IMPROVEMENTS**

**WHEREAS**, Sergi Construction, Inc. is under contract with the Town of Batavia for the 2007 Water System Improvement project, and

**WHEREAS**, Sergi Construction, Inc. has submitted a change order request in the amount of \$124,263.80 for extending lines to all District boundaries, upsizing the line size from 8" to 12" on Wilkinson Road and other miscellaneous items as described on the attached Change Order No.1., and

**WHEREAS**, the change order amount is within the project monies available, and

**WHEREAS**, CLARK PATTERSON LEE, has recommended approval of the change order request.

**NOW, THEREFORE, BE IT**

**RESOLVED**, the Town of Batavia hereby authorizes the Supervisor to execute the attached Change Order.

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

**RESOLUTION NO. 62:**

Councilwoman Michalak offered the following:

**LEAD AGENCY STATUS  
GENESEE VALLEY AGRI-BUSINESS PARK**

**WHEREAS**, the Town of Batavia Planning Board wishes to assume Lead Agency status for the proposal from Genesee County Economic Development Center (GCEDC) to construct an Industrial Park, known as Genesee Valley Agri-Business Park on East Main Street Road, located in the Town of Batavia; and

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

**RESOLVED**, the Batavia Town Board hereby authorizes the Supervisor to execute the attached SEQR Lead Agency Coordination Request Form designating the Town of Batavia Planning Board as Lead Agency for the proposed Genesee Valley Agri-Business Park on East Main Street Road, located in the Town of Batavia.

**MARCH 5, 2008**  
**SPECIAL TOWN BOARD MEETING**

**Second by:** Councilman Lang  
**Ayes:** Michalak, Lang, Gerace, Underhill, Post  
**APPROVED by unanimous vote (5-0)**

**RESOLUTION NO. 63:**

Councilman Lang offered the following:

**FIVE STAR BANK AUTHORIZED SIGNATURES**

**WHEREAS,** the Supervisor has recommended dual signatures for the General Checking and the Trust Agency Checking at Five Star Bank; and

**NOW, THEREFORE, BE IT**

**RESOLVED,** the Batavia Town Board hereby concurs with the Supervisor for dual signatures on the General Checking and Trust Agency Checking Accounts; and be it

**FURTHER RESOLVED,** the Batavia Town Board hereby grants the signing powers to Gregory Post, Daniel Underhill, John Gerace and Teressa Morasco.

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

**EXECUTIVE SESSION:** Motion Councilman Gerace, second Deputy Supervisor Underhill to adjourn at 7:34 P.M. for executive session to discuss personnel and union negotiations.

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

**RECONVENE:** Motion Deputy Supervisor Underhill, second Councilman Lang to reconvene at 8:00 P.M.

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

**NO ACTION TAKEN** the Supervisor reported.

**ADJOURNMENT:**

Motion Deputy Supervisor Underhill, second Councilman Gerace to adjourn the Special Town Board Meeting at 8:00 P.M.

**Ayes:** Underhill, Gerace, Lang, Michalak, Post  
**MOTION CARRIED by unanimous vote. (5-0)**

Respectfully submitted,  
Teressa M. Morasco  
Town Clerk