

**APRIL 16, 2008
SPECIAL TOWN BOARD MEETING**

Town Hall

Patti Michalak, Councilwoman led the pledge to the flag

Immediately Following Public Hearings

Roll Call

Present: Councilman Lang
Councilman Michalak
Councilman Gerace

Absent: Supervisor Post
Deputy Supervisor Underhill

Others

Present: Town Clerk Morasco

Councilman Gerace, Acting Chair called the meeting to order at 7:15 P.M.

RESOLUTION NO. 82:

Councilman Lang offered the following:

**TOWN OF BATAVIA
SEWER DISTRICT NO. 1
SMALL CITIES 2008**

LEAD AGENCY RESOLUTION

RESOLVED, that in accordance with the New York State Environmental Quality Review regulations (SEQR), the Town Board of the Town of Batavia announces its intent to serve as lead agency to conduct an environmental review under Section 617.7 of the New York State Codes, Rules and Regulations (NYSCRR) of proposed improvements in Sewer District No. 1.

FURTHER RESOLVED, that the Town Board has determined that the proposed action is an "Unlisted Action" as defined under SEQR.

FURTHER RESOLVED, that the Town Board, in its capacity of lead agency, has caused to be prepared an environmental assessment of the significance of the potential environmental impact of the above listed action. The Town Board hereby accepts the environmental assessment of the project prepared by Stuart I. Brown Associates, Inc., dated April 16, 2008.

FURTHER RESOLVED, that the Town Board declares that, based on the Environmental Assessment which has been prepared, it finds that the project will result in no significant damage to the environment. The Town Board further declares that, based on the environmental assessment which has been prepared, the project will result in no major impacts and, therefore, will not cause significant damage to the environment. A Negative Declaration under SEQR is therefore issued for this project.

Second by: Councilwoman Michalak

Ayes: Lang, Michalak, Gerace

APPROVED by unanimous vote (3-0)

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RESOLUTION NO. 83:

Councilwoman Michalak offered the following:

**RESOLUTION TO PROVIDE THE LOCAL SHARE OF THE COST OF CONSTRUCTING
SANITARY SEWER IMPROVEMENTS TO SERVE THE
TOWN OF BATAVIA SEWER 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 \$951,700, 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 \$507,700 for the construction of the needed sanitary sewer improvements.

NOW, THEREFORE BE IT RESOLVED, that the Town Board commits that it will provide \$444,000 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 \$507,700 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 Lang

Ayes: Gerace, Lang, Michalak

APPROVED by unanimous vote (3-0)

ADJOURNMENT:

Motion Councilman Lang, second Councilwoman Michalak to adjourn the Special Town Board Meeting at 7:21 P.M.

Ayes: Lang, Michalak, Gerace,

MOTION CARRIED by unanimous vote. (3-0)

Respectfully submitted,
Teresa M. Morasco
Town Clerk