

**APRIL 15, 2009**  
**REGULAR TOWN BOARD MEETING**

**Town Hall**

**7:00 P.M.**

Joyce Diegelman, Town Employee led the pledge to the flag.

**Roll Call**

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

**Others**

**Present:** Town Clerk Morasco  
Deputy Town Clerk Baubie  
Building Inspector Worthington  
Highway Superintendent Cook  
Town Assessor Cleveland  
Planning Chair Jasinski  
Planning Secretary White  
Secretary to the Supervisor Librock  
Bookkeeper Crandall  
The Diegelman Family & Friends  
Roger Muehlig, Daily News Reporter

The Supervisor called the meeting to order at 7:00 P.M.

**March 18, 2009 Public Hearing-Community Development Block Grant, March 18, 2009 Regular Town Board Meeting, April 1, 2009 Special Town Board Meeting, and April 9, 2009 Public Hearing Small Cities SSI:** Motion Deputy Supervisor Underhill, second Councilman Lang to approve the minutes as written.

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

**RESOLUTION NO. 71:**

Councilman Lang offered the following:

**RECOGNITION OF SERVICE**  
**JOYCE E. DIEGELMAN**

**WHEREAS,** Joyce Diegelman, a lifelong resident of the Town of Batavia, has afforded dedicated and continuing service and commitment to her community in many ways; and

**WHEREAS,** As a member of the Town of Batavia Fire Department/Auxiliary for 47 years, Joyce provided leadership and support for the fund raising efforts and assisted firepersons and victims in times

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of emergency; and

**WHEREAS**, Joyce's commitment to her community is reflected in her tenure as Election Inspector since 1981, Town Bingo Inspector for over ten years, member of the Town of Batavia Republican Committee, volunteer at the Genesee County Visitors Information Center, Volunteer and Parishioner of Resurrection Parish and Clerk-typist for the Town of Batavia since 1998; and

**WHEREAS**, Because Joyce takes pride in her work and deals with co-workers and town residents with honesty, tact and humor, she has set a high standard for those who will follow and is respected by all those who work or volunteer with her.

**NOW, THEREFORE, BE IT**

**RESOLVED**, That the Batavia Town Board does hereby commend and appreciate Mrs. Joyce Diegelman for her decades of dedicated and professional service and volunteerism to her Church, Town of Batavia and County of Genesee, and be it

**FURTHER RESOLVED**, That best wishes are extended to Joyce for many more years of health, happiness and contentment.

**Second by:** Deputy Supervisor Underhill

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

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

The Town Board thanked Joyce for her continued service to the community and presented her with a "Certificate of Recognition" and a plaque. Sharon White, Liaison for Assemblyman Stephen Hawley and Jay Grasso, Liaison for Senator Michael Ranzenhofer also presented her with a citation from the Assemblyman and Senator.

Ms. Diegelman was also active with the Town of Batavia Republican Committee. Sharon White, Chairman of the Town of Batavia Republican Committee presented her with a "Letter of Appreciation".

Ms. Diegelman's family and friends were here to honor her.

**RESOLUTION NO. 72:**

Deputy Supervisor Underhill 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 2009 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:** Councilman Gerace

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

**RESOLUTION NO. 73:**

Supervisor Post offered the following:

**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 three thousand, five hundred dollars (\$3,500.00) (proposal attached).

**NOW, THEREFORE, BE IT RESOLVED**, the Batavia Town Board hereby authorizes the Supervisor to retain Stuart I. Brown Associates to prepare the 2009 Small Cities Grant Application at a cost of three thousand, five hundred dollars (\$3,500.00) and to execute an agreement between the Town of Batavia and Stuart I. Brown Associates; and be it

**FURTHER RESOLVED**, the cost will be expended from budgetary line it number A8030.400-Research & Development.

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

**RESOLUTION NO. 74:**

Councilwoman Michalak offered the following:

**PROPOSAL OF SERVICES AGREEMENT –  
BETWEEN THE TOWN OF BATAVIA AND STUART I. BROWN ASSOCIATES  
RURAL DEVELOPMENT PRE-ELIGIBILITY DETERMINATION-PRATT ROAD**

**WHEREAS**, the Town wishes to retain Stuart I. Brown Associates to prepare the Town's Pre-Eligibility Determination (PED) for submission to Rural Development to determine the Town's eligibility for loan and grant assistance for the proposed extension of public water service to serve areas along Pratt Road; and

**WHEREAS**, the cost to prepare the PED's is \$1,000.00 (proposal attached).

**NOW, THEREFORE, BE IT RESOLVED**, the Batavia Town Board hereby authorizes the

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Supervisor to retain Stuart I. Brown Associates for the preparation of the Pre-Eligibility Determination (PED) for submission to Rural Development at a cost not to exceed one thousand, dollars (\$1,000.00) and to execute an agreement between the Town of Batavia and Stuart I. Brown Associates; and be it

**FURTHER RESOLVED**, the cost will be expended from budgetary line it number A8030.400-Research & Development.

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

**RESOLUTION NO. 75:**

Councilman Gerace offered the following:

**AMENDMENT TO PROJECT MANAGEMENT SERVICES AGREEMENT –  
PARK LAND ACQUISITION AND DEVELOPMENT PROJECT  
BETWEEN THE TOWN OF BATAVIA AND STUART I. BROWN ASSOCIATES**

**WHEREAS**, the Town entered into an agreement with Stuart I. Brown Associates May 28, 2008 to provide project management services and to assist the Town of Batavia in complying with the requirements of the New York State Office of Parks, Recreation and Historic Preservation and the Environmental Protection Fund (EPF) for the proposed Park on Galloway Road; and

**WHEREAS**, an amendment to the agreement needs to be incorporated in order for administrative service expenses to be cost shared by the State (amendment attached).

**NOW, THEREFORE, BE IT RESOLVED**, the Batavia Town Board hereby approves the amendment to the Agreement between Stuart I. Brown Associates and the Town of Batavia for project management services and assisting the Town in complying with the requirements of the NYS Office of Parks, Recreation and Historic Preservation and the EPF; and be it

**FURTHER RESOLVED**, the Supervisor is hereby authorized to execute the contract amendment.

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

**RESOLUTION NO. 76:**

Councilman Lang offered the following:

**RURAL DEVELOPMENT -FINANCIAL ADVISER  
SERVICE EXTENSION AGREEMENT**

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**WILKINSON ROAD WATER DISTRICT**

**WHEREAS**, the Town of Batavia engaged in an agreement on March 21, 2007 with Municipal Solutions, Incorporated in order to complete the Rural Development Application for the Wilkinson Road Water District; and

**WHEREAS**, Municipal Solutions, Incorporated has submitted a proposal for additional work to be performed by them in relation to the project; and

**WHEREAS**, the fee for these services are stipulated in the contract extension 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 financing for the Wilkinson Road Water District.

**Second by:** Deputy Supervisor Underhill

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

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

**RESOLUTION NO. 77:**

Deputy Supervisor Underhill offered the following:

**RURAL DEVELOPMENT -FINANCIAL ADVISER  
SERVICE EXTENSION AGREEMENT  
PEARL STREET ROAD WATER DISTRICT**

**WHEREAS**, the Town of Batavia engaged in an agreement on March 21, 2007 with Municipal Solutions, Incorporated in order to complete the Rural Development Application for the Pearl Street Road Water District; and

**WHEREAS**, Municipal Solutions, Incorporated has submitted a proposal for additional work to be performed by them in relation to the project; and

**WHEREAS**, the fee for these services are stipulated in the contract extension 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 financing for the Pearl Street Road Water District.

**Second by:** Councilman Gerace

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

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

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**RESOLUTION NO. 78:**

Supervisor Post offered the following:

**RURAL DEVELOPMENT -FINANCIAL ADVISER  
SERVICE EXTENSION AGREEMENT  
PUTNAM/SHEPARD ROADS WATER DISTRICT**

**WHEREAS**, the Town of Batavia engaged in an agreement on March 21, 2007 with Municipal Solutions, Incorporated in order to complete the Rural Development Application for the Putnam/Shepard Roads Water District; and

**WHEREAS**, Municipal Solutions, Incorporated has submitted a proposal for additional work to be performed by them in relation to the project; and

**WHEREAS**, the fee for these services are stipulated in the contract extension 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 financing for the Putnam/Shepard Roads Water District.

**Second by:** Councilman Lang

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

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

**SUSPEND THE RULES**-Motion Deputy Supervisor Underhill, second Councilman Lang to suspend the rules to introduce an additional resolution.

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

**MOTION CARRIED by unanimous vote (5-0)**

**RESOLUTION NO. 79:**

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

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**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:** Deputy Supervisor Underhill

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

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

**RESOLUTION NO. 80:**

Councilman Gerace offered the following:

**RESOLUTION FOR REDUCTION OF SPEED LIMIT**  
**WORTENDYKE ROAD**

**WHEREAS**, residents have expressed concern regarding unsafe traffic conditions on Wortendyke Road; and

**WHEREAS**, the Town of Batavia is requesting a reduction in the speed limit from 55 MPH to 45 MPH on Wortendyke Road south between Rose Road and Pike Road.

**NOW, THEREFORE, BE IT**

**RESOLVED**, the Batavia Town Board hereby petitions the Genesee County Highway Department and the New York State Department of Transportation by way of this resolution and form TE 9a to consider a speed reduction from 55 MPH to 45 MPH on Wortendyke Road.

**Second by:** Councilman Lang

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

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

**RESOLUTION NO. 81:**

Councilman Lang offered the following:

**RESOLUTION TO APPROVE ASSISTANCE FOR A**

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**RECREATIONAL PROJECT**

**WHEREAS**, the Comprehensive Plan of the Town of Batavia has identified as one of its goals “...to work with government and private entities to increase the number and enhance the quality of recreational opportunities available to Town residents”, and

**WHEREAS**, the Town of Batavia and City of Batavia School District are in the process of completing a recreation/athletic fields needs analysis, and

**WHEREAS**, Genesee Community College will not have several recreation fields available during the Summer/Fall of 2009 because of reconstruction work upon these facilities, and

**WHEREAS**, CY Farms, LLC and Theodore Hawley have proposed a project to build athletic fields in the Town of Batavia for use by community organizations and non-community organizations, and

**WHEREAS**, the City of Batavia School District and Genesee Community College have expressed an interest in supporting this project.

**NOW, THEREFORE, BE IT RESOLVED** by the Town Board of the Town of Batavia, New York, that the Town will contribute “in kind” labor and the use of equipment by its employees having an equivalent value not to exceed the sum of \$9,000.00, as calculated by the Town Engineer, to construct a gravel access driveway and parking area for this project, and

**BE IT FURTHER RESOLVED** that the Town shall receive in return an agreement by CY Farms, LLC and Theodore Hawley that these fields will be allowed to be used by existing community organizations and non-community organizations to include use by Town residents and for youth recreation programs established by the City of Batavia that receive financial contributions from the Town, and

**BE IT FURTHER RESOLVED** that this financial commitment be made with the provision that CY Farms, LLC and Theodore Hawley will charge fees for use of the project that shall not be higher than the amounts currently paid to the Town, Genesee Community College, the City of Batavia or the Batavia City School District for use of its facilities, provided that fees for all other organizations will be at the discretion of CY Farms, LLC and Theodore Hawley, and

**BE IT FURTHER RESOLVED** that this Resolution is subject to approval of the project by the Town of Batavia Planning Board with issuance of all required permits, and entry into a written agreement by and between the Town of Batavia with CY Farms, LLC and Theodore Hawley, as approved by the Town Engineer and the Town Attorney, for an initial time period of one (1) year starting when the facilities are first able to be used.

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



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**RESOLUTION NO. 82:**

Deputy Supervisor Underhill offered the following:

**CODE ENFORCEMENT OFFICER AGREEMENT BETWEEN  
THE TOWN OF BATAVIA AND THE TOWN OF LEROY**

**WHEREAS**, the Town of Batavia and the Town of LeRoy entered into a Code Enforcement Officer Agreement in December 2006; and

**WHEREAS**, the agreement addresses the need for each party to have its Codes enforced during periods when its Enforcement Officers are unavailable due to illness, vacation and other absences.

**NOW, THEREFORE, BE IT**

**RESOLVED**, pursuant to Article 5-G of the General Municipal Law, the Batavia Town Board wishes to re-enter into an agreement between the Town of Batavia and the Town of LeRoy for Code Enforcement coverage (agreement attached); and be it

**FURTHER RESOLVED**, the Batavia Town Board hereby authorizes the Supervisor to execute the aforementioned agreement.

**Second by:** Councilman Lang

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

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

**AGREEMENT**

THIS AGREEMENT, made this \_\_\_\_\_ day of \_\_\_\_\_, 2009 by and between the **Town of LeRoy**, a municipal corporation with offices at 48 Main Street, LeRoy, NY 14482 (“LeRoy”), and the **Town of Batavia**, a municipal corporation with office at 3833 West Main Road, Batavia, NY 14020 (“Batavia”),

**WHEREAS**, both parties employ Code Enforcement Officers to enforce Zoning Code, Fire and Building Codes and other various codes and regulations, and

**WHEREAS**, each party has identified a need to have its Codes enforced during periods when its Enforcement Officers are unavailable due to illness, vacation and other absences,

**NOW THEREFORE**, pursuant to Article 5-G of the General Municipal Law, it is agreed as follows:

First: That LeRoy shall appoint the Code Enforcement Officer of the Town of Batavia as its Deputy Code Enforcement Officer.

Second: That Batavia shall appoint the Code Enforcement Officer of the Town of LeRoy as

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one of its Deputy Code Enforcement Officers.

Third: That each party shall establish an hourly rate at which it shall be reimbursed for such times as its Code Enforcement Officer is performing duties in the other Town and the Town receiving such services shall and hereby does agree to pay for such services at said rate. Each party shall also reimburse the other for any expenses paid by the other, including mileage for vehicle use by the officer while in the other party's Town, or reimburse the officer directly for the use of his personal vehicle in those instances when he uses it for either party's purposes with prior authorization.

Fourth: The rate shall include the hourly cost to the Town for the Code Enforcement Officer's wages, health insurance, retirement fund contribution, and any other fringe benefits, and shall not exceed such hourly costs.

Fifth: Each Town Supervisor shall notify the other Town Supervisor as soon as it becomes known that the services of the Deputy will be necessary, but in no event shall such notice be given less than 72 hours prior to the time when the Deputy is needed. In the event that one of the officers becomes injured, ill or otherwise suddenly incapacitated, the Town supplying the Deputy shall do so as soon as practical, but shall not be required to do so any sooner than 72 hours after notification. It is further understood that each municipality may have or currently has similar agreements with other municipalities and, therefore it is understood that the Deputy may not be available due to services being provided to those other municipalities. In this event the Deputy will be provided on a first come first serve basis.

Sixth: Each Town shall indemnify the other against any negligent act and shall name the other as an additional insured on any and all liability insurance policies. Each town shall be responsible for the acts of the deputy enforcement officer when working in its Town and the other shall not be so responsible.

Seventh: This agreement shall take effect upon the adoption of resolutions by Town Board agreeing hereto and the authorizing of the respective Supervisors to execute this Agreement and shall be in effect until December 31, 2009.

Eighth: This agreement may be terminated by either party by giving the other party ninety (90) days notice of intention to terminate and shall become effective on the first day of the month following the expiration of the ninety (90) day period.

Ninth: All notices shall be sent to the respective Towns at their addresses as set forth above.

IN WITNESS WHEREOF, the Towns have caused this Agreement to be signed by the Supervisors and the Town Seal attached on the date first set forth above.

TOWN OF LEROY

TOWN OF BATAVIA

\_\_\_\_\_  
\_\_\_\_\_, Supervisor

\_\_\_\_\_  
Gregory H. Post, Supervisor

STATE OF NEW YORK)  
COUNTY OF GENESEE) SS.

On the \_\_\_\_\_ day of \_\_\_\_\_, 2009 before me, the undersigned, a Notary Public in and for said State, personally appeared \_\_\_\_\_, personally known to me or proved to me on

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the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

\_\_\_\_\_  
Notary Public

STATE OF NEW YORK)  
COUNTY OF GENESEE) SS.

On the \_\_\_\_\_ day of \_\_\_\_\_, 2009 before me, the undersigned, a Notary Public in and for said State, personally appeared **Gregory H. Post**, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

\_\_\_\_\_  
Notary Public

**RESOLUTION NO. 83:**

Supervisor Post offered the following:

**ESTABLISH LINE ITEMS**  
**FOR CAPITAL PROJECTS**

**RESOLVED**, the Batavia Town Board hereby establishes the following line items:

**HM – CREEK ROAD WATER DISTRICT**

HM 1380.400 Fiscal Agent  
HM 1420.400 Legal Expense  
HM 1440.400 Engineering  
HM 1710.400 Administration  
HM 1989.400 Advertising  
HM 8340.400 Transmission/Distribution – Construction  
HM 9730.600 BAN – Principle  
HM 9730.700 BAN – Interest  
HM 9901.900 Transfers To Other Funds  
HM 2401 Interest & Earnings  
HM 2770 Miscellaneous Revenues  
HM 4991 Water Capital Grants  
HM 5031 Interfund Transfers  
HM 5710 Serial Bonds  
HM 5730 BAN Proceeds  
HM 5731 BAN Redeemed From Appropriations

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HN – WORTENDYKE ROAD Water District

HN 1380.400 Fiscal Agent  
HN 1420.400 Legal Expense  
HN 1440.400 Engineering  
HN 1710.400 Administration  
HN 1989.400 Advertising  
HN 8340.400 Transmission/Distribution – Construction  
HN 9730.600 BAN – Principle  
HN 9730.700 BAN – Interest  
HN 9901.900 Transfers To Other Funds  
HN 2401 Interest & Earnings  
HN 2770 Miscellaneous Revenues  
HN 4991 Water Capital Grants  
HN 5031 Interfund Transfers  
HN 5710 Serial Bonds  
HN 5730 BAN Proceeds  
HN 5731 BAN Redeemed From Appropriations

HO – WEST MAIN/WORTENDYKE Sewer District

HO 1380.400 Fiscal Agent  
HO 1420.400 Legal Expense  
HO 1440.400 Engineering  
HO 1710.400 Administration  
HO 1989.400 Advertising  
HO 8340.400 Transmission/Distribution – Construction  
HO 9730.600 BAN – Principle  
HO 9730.700 BAN – Interest  
HO 9901.900 Transfers To Other Funds  
HO 2401 Interest & Earnings  
HO 2770 Miscellaneous Revenues  
HO 4991 Water Capital Grants  
HO 5031 Interfund Transfers  
HO 5710 Serial Bonds  
HO 5730 BAN Proceeds  
HO 5731 BAN Redeemed From Appropriations

HP – PRATT ROAD Water District

HP 1380.400 Fiscal Agent  
HP 1420.400 Legal Expense  
HP 1440.400 Engineering  
HP 1710.400 Administration  
HP 1989.400 Advertising  
HP 8340.400 Transmission/Distribution – Construction  
HP 9730.600 BAN – Principle

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HP 9730.700 BAN – Interest  
HP 9901.900 Transfers To Other Funds  
HP 2401 Interest & Earnings  
HP 2770 Miscellaneous Revenues  
HP 4991 Water Capital Grants  
HP 5031 Interfund Transfers  
HP 5710 Serial Bonds  
HP 5730 BAN Proceeds  
HP 5731 BAN Redeemed From Appropriations

**HQ – SANITARY SEWER IMPROVEMENTS District I**

HQ 1380.400 Fiscal Agent  
HQ 1420.400 Legal Expense  
HQ 1440.400 Engineering  
HQ 1710.400 Administration  
HQ 1989.400 Advertising  
HQ 8340.400 Transmission/Distribution – Construction  
HQ 9730.600 BAN – Principle  
HQ 9730.700 BAN – Interest  
HQ 9901.900 Transfers To Other Funds  
HQ 2401 Interest & Earnings  
HQ 2770 Miscellaneous Revenues  
HQ 4991 Water Capital Grants  
HQ 5031 Interfund Transfers  
HQ 5710 Serial Bonds  
HQ 5730 BAN Proceeds  
HQ 5731 BAN Redeemed From Appropriations

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

**Abstract No. 4-2009:** Motion Deputy Supervisor Underhill, second Councilman Gerace to authorize the Supervisor to pay the following vouchers:

General	\$ 100,854.09
Highway	10,253.80
Sewer No. 1	1,132.18
Sewer No. 2	6,056.22
Water	5,215.25
Alexander/Pike	13,950.20

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Lovers Lane	17,629.00
Rose	6,479.61
Creek	<u>1,000.00</u>
<b>TOTAL</b>	<b>\$162,570.35</b>

Check numbers 13645 thru 13728, Wire \$9,519.76, Online \$3559.17

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

**MOTION CARRIED by unanimous vote (5-0)**

**DEPARTMENT REPORTS:**

**Planning Chair Jasinski** reported they are not meeting this month but there are a couple of big projects in the works and will be meeting in May.

**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 General and Reserve Funds are invested in a CD paying a rate of .27%.

**GAM** meeting is tomorrow evening at the Oakfield Hotel at 7:00 P.M.

**Pratt Road Water Petition**-The Town received a petition for water on Pratt Road.

**Court Grant**-The Town was award a grant from the NYS Unified Court System.

**BATAVIA BOOGIE-LETTER OF SUPPORT-** Motion Deputy Supervisor Underhill, second Councilman Lang, the Batavia Town Board authorizes the Supervisor to send a letter of support to the Genesee County Legislature for the continuation of the Batavia Boogie event at the Genesee County Airport.

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

**MOTION CARRIED by unanimous vote (5-0)**

Deputy Supervisor Underhill expressed what a great event Batavia Boogie is for the community and it should not be abandoned.

**COMMUNICATIONS:**

**March Town Clerk monthly report** collected a total of \$5,265.60 remitted \$4,997.54 to the Supervisor for the Local Share.

**March Town/County Tax Collection** –collected a total of \$202,222.07; remitted \$4,229.07 to the Supervisor and the remainder to the Genesee County Treasurer to complete the Town/County Tax Collection for 2009.

**Training Workshops-** Genesee Finger Lakes Regional Planning Council Spring 2009 Workshop is May 15 and the registration forms have been distributed.

**Genesee County Office for the Aging** sent a thank you letter for the Town's contribution for the Senior Center Recreation Program.

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USDA sent a thank you letter for hosting their Administrative Meeting here on February 11, 2009.  
US Census-The US Census Bureau will be visiting homes beginning this month through July.  
Genesee Cancer Assistance will be having their annual “Festival of Hope” celebration June 5, 2009 at Batavia Downs.

**COMMITTEE REPORTS:**

Parks/Recreation- Councilman Gerace expressed there is a big need for soccer fields and addressing the issue is moving forward.

**ADJOURNMENT:**

Motion Councilman Gerace, second Councilwoman Michalak to adjourn the Regular Town Board Meeting at 7:30 P.M.

**MOTION CARRIED by unanimous vote (5-0)**

Respectfully submitted,

Teresa M. Morasco  
Town Clerk