

**SEPTEMBER 7, 2010
SPECIAL TOWN BOARD MEETING**

Town Hall

7:30 A.M.

Greg Post, Supervisor led the pledge to the flag.

Roll Call

Present: Supervisor Post
Deputy Supervisor Underhill
Councilman Gerace

Absent: Councilman Lang
Councilwoman Michalak

Others

Present: Town Clerk Morasco

The Supervisor called the meeting to order at 7:50 A.M.

RESOLUTION NO. 129:

Supervisor Post offered the following:

RESOLUTION TO INTRODUCE PROPOSED LOCAL LAW #3 OF 2010

WHEREAS, the Town Board of the Town of Batavia, New York desires to consider adopting legislation to provide employees who are members of the New York State and Local Employees' Retirement System, and otherwise meet the eligibility requirements pursuant to Part A of the New York State 2010 Retirement Incentive Program, with the allowable benefits pursuant to this Program, also known as Town of Batavia Local Law #3 of 2010, and

WHEREAS, the Town Board previously enacted Local Law # 2 of 2010 with the same retirement incentive provisions, however, said Local Law needs to be repealed and revised as set forth herein because it stated an improper ending date for the open period.

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Batavia, New York that proposed Local Law #3 of 2010 entitled "A Local Law to Enact Part A of the New York State 2010 Retirement Incentive Program and to Repeal Local Law # 2 of 2010", which proposed Local Law is now in its final form as appears by a copy thereof hereto attached, be and the same hereby is introduced for adoption; and

BE IT FURTHER RESOLVED that said proposed Local Law be laid upon the desks of the members of this Town Board on this date and remain there and a copy thereof be kept on file in the office of the Town Clerk until September 15, 2010, and that a public hearing be held before this Town Board on the 15th day of September, 2010, at 6:55 p.m. at the Batavia Town Hall, 3833 West Main Street Road, Batavia, New York, on the advisability of enacting said proposed Local Law; and

BE IT FURTHER RESOLVED that a copy of said proposed Local Law be mailed to each

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member of the Town Board not in attendance at this meeting in a postpaid, properly addressed and securely closed envelope in a post box within the Town of Batavia, New York not less than ten (10) calendar days, exclusive of Sunday, prior to the date of said public hearing; and

BE IT FURTHER RESOLVED that the Town Clerk shall cause notice of said public hearing to be published once in The Daily News at least five (5) days prior to the date of said public hearing, which notice shall contain the time and place of said hearing, the title and purpose thereof, as well as a statement that a copy of said proposed Local Law is on file in the Town Clerk's Office.

Second by: Councilman Gerace

Ayes: Post, Gerace, Underhill

APPROVED by unanimous vote (3-0)

NOTICE OF PUBLIC HEARING BY THE TOWN BOARD
OF THE TOWN OF BATAVIA, NEW YORK
TO CONSIDER ADOPTING A PROPOSED LOCAL LAW

PUBLIC NOTICE is hereby given that there has been presented to the Town Board of the Town of Batavia, New York on the 7th day of September, 2010, proposed Local Law #3 of 2010 entitled "A Local Law to Enact Part A of the New York State 2010 Retirement Incentive Program and to Repeal Local Law # 2 of 2010". Said Local Law will provide employees who are members of the New York State and Local Employees' Retirement System, and otherwise meet the eligibility requirements pursuant to Part A of the New York State 2010 Retirement Incentive Program, with the allowable benefits pursuant to this Program of one (1) additional month of service credit for each year of service credit as of the date of retirement, with a maximum amount of additional service credit to be no more than three (3) years. The Town has also established that eligible employees shall be employed in the following titles:

- A. Building Inspector
- B. Sr. Water/Waste Water Maintenance Worker
- C. Automotive Mechanic

PLEASE TAKE FURTHER NOTICE that on 15th day of September, 2010, at 6:55 o'clock in the afternoon of that day the Town Board of the Town of Batavia, New York will conduct a public hearing at the Batavia Town Hall located at 3833 West Main Street Road in the Town of Batavia, New York for the purpose of considering the advisability of enacting said proposed Local Law, at which time and place all persons interested will be heard.

A copy of said proposed Local Law is on file at the Office of the Batavia Town Clerk, 3833 West Main Street Road, Batavia, New York, and is open for inspection during regular Office hours.

Dated: Batavia, New York
September 7, 2010

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Teresa M. Morasco, Town Clerk
Town of Batavia, New York

ADJOURNMENT:

Motion Councilman Gerace, second Deputy Supervisor Underhill to adjourn the Special Town Board Meeting at 7:52 A.M.

Ayes: Gerace, Underhill, Post

MOTION CARRIED by unanimous vote (3-0)

Respectfully submitted,

Teresa M. Morasco
Town Clerk