

**DECEMBER 21, 2011  
REGULAR TOWN BOARD MEETING**

**Town Hall**

**7:00 P.M.**

Al Lang, Councilman 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  
Steve Mountain, Town Engineer  
Kathy Jasinski, Planning Board Chair  
Gordon Offhaus, Planning Board Member  
Donald Partridge, Planning Board Member  
Jon Long, Planning Board Member  
Jeremy Liles, Planning Board Member  
Randy McIntyre, Fire Chief

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

**November 16, 2011 Regular Town Board Meeting, November 23, 2011 Special Town Board Meeting and November 30, 2011 Special Town Board Meeting:** Motion Councilman Gerace, second Councilman Lang to approve the minutes as written.

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

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

**SPEAKER:** William Stevens, Treasurer for Grandview Cemetery addressed the Town Board. On previous occasions he stated that he discussed at Town Board work sessions the need for some service assistance from the Town because they were going through some financial difficulties and wanted to know what action could be taken. The Supervisor informed him that the Town Board did discuss this matter during the budget work sessions and established a line item in the 2012 Budget for in-kind services. We will have the Highway Superintendent coordinate the services with Mr. Stevens. Mr. Stevens stated they need assistance with cold patching, tree trimming, snowplowing (on occasion, no certain time) and topsoil. The contact information for Mr. Stevens is 356-2125, for the Office Manager, Kathy Balluscio- 993-1317. Beth Wilson is Grandview Cemetery Board President.

Supervisor Post commended the Cemetery Board for being able to maintain their financial integrity. Mr. Stevens stated that their budget is \$60,000 and their income comes from burial costs, lot sales and donations. Most recently a new contractor helped in bringing in extra funds.

Mr. Stevens thanked and expressed his appreciation to the Town Board for their time.

**RESOLUTION NO. 176:**

Councilman Lang offered the following:

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**AUTHORIZING AGREEMENT FOR  
FIRE PROTECTION SERVICES FOR FISCAL YEAR 2012**

**WHEREAS**, there has been duly established in the Town of Batavia a Fire Protection District known as the "Town of Batavia Fire Protection District" as such territory is more fully described in the Resolution establishing such District as was duly adopted by the Town Board of the Town of Batavia, Genesee County, New York, on March 24, 1948;

**WHEREAS**, it is proposed that a Contract be entered into with the Town of Batavia Fire Department, Inc. for the furnishing of fire protection in said District by said Town of Batavia Fire Department, Inc.; and

**WHEREAS**, due notice has been given of a Public Hearing held at the Town Hall of the Town of Batavia, New York on the 21<sup>st</sup> day of December, 2011, at 6:55 P.M. to consider such Contract, the notice thereof duly specifying the time and place of the Public Hearing as aforesaid and describing the time and place of the Public Hearing as aforesaid and describing in general terms and proposed Contract; and

**WHEREAS**, said Public Hearing was duly conducted as advertised and all persons interested therein and presenting themselves were heard; now, therefore, be it

**RESOLVED**, it is in the public interest for this Board to contract with the Town of Batavia Fire Department, Inc., and be it further

**RESOLVED**, upon receiving certified copies of resolutions duly adopted by said Town of Batavia Fire Department, Inc., membership and Directors approving the terms and conditions of said Contract that this Town Board shall contract with said Town of Batavia Fire Department, Inc. for the furnishing of fire protection to such District according to the terms of said Contract, a copy of which is annexed to this Resolution and is make a part thereof, and be it further

**RESOLVED**, such contract shall be executed on behalf of the Town of Batavia, New York by its Supervisor and Town Clerk.

**Second by:** Councilman Gerace

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

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

**Discussion:** The Supervisor offered thanks to the Town of Batavia Fire Department on their service and stewardship to the community. He applauds the extraordinary job by the Volunteers.

**TOWN OF BATAVIA FIRE DEPARTMENT AGREEMENT**

**THIS AGREEMENT** made this \_\_\_\_ day of \_\_\_\_\_, 2011, by and

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between the **TOWN OF BATAVIA, NEW YORK**, (hereinafter designated as "Town") and the **TOWN OF BATAVIA FIRE DEPARTMENT, INC.** of Batavia, New York, (hereinafter designated as "Fire Department").

**WITNESSETH:**

**WHEREAS**, there has been duly established in the said Town of Batavia a fire protection district known as the "Town of Batavia Fire Protection District" as such' territory is more fully described in the Resolution establishing such District and duly adopted by the Town Board of the said Town of Batavia, Genesee County, New York on 24th day of March, 1948; and

**WHEREAS**, following a public hearing duly called, the said Town has duly authorized a Contract with the Fire Department for fire protection in said District upon the terms and conditions herein set forth; and

**WHEREAS**, this Agreement has also been duly authorized by the Directors and membership of the Fire Department, and the Fire Department has provided to the Town certified copies of Resolutions of approval of this Agreement by the Town of Batavia Fire Department Board of Directors and by its membership.

**NOW, THEREFORE**, the Town does engage the Fire Department to furnish fire protection to said District and the Fire Department agrees to furnish such protection in the manner following, to wit:

1. The equipment and personnel of the Fire Department shall at all times during the term of this Agreement be subject to call for attendance upon any fire occurring in such District, and when notified by any means of a fire within the District, said Fire Department shall respond and attend upon the fire without delay with one or more companies and with suitable fire-fighting equipment and apparatus of the Fire Department. Upon arriving at the scene of the fire, the firefighters of the Fire Department attending shall proceed diligently and in every way reasonably suggested under the circumstances to the extinguishments of the fire and the saving of life and property in connection therewith.
  
2. The Fire Department covenants and agrees at all times to maintain in force on and in respect to vehicles and equipment owned by it or subject to its control or use, while responding to, attending at or leaving from fires, alarms or calls both inside and outside said District, including, but not limited to, responses in connection with Mutual Aid Plan referred to in Paragraph 5 of this Agreement, an underlying public liability insurance policy for injury to persons and property, including wrongful death, with limits of \$500,000.00 for each person, \$1,000,000.00 for each accident and \$250,000.00 property damage for each accident and an excess public liability policy in the amount of \$3,000,000.00 insuring the Fire Department and the Town against any loss by reasons of personal injury including wrongful death, or property damage caused or contributed to by the negligent operation of said vehicles and/or equipment in connection with a fire, alarm or call in or from said District or in connection with a mutual aid response. In addition, the Fire Department agrees at all times to maintain in force public liability insurance to protect itself and the Town from all other losses occurring in its operations other than those arising out of the use and operation of said vehicles and/or equipment to persons for injury, including

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wrongful death, and to property in amounts for underlying and excess liability similar to that maintained for vehicles and/or equipment. All liability insurance policies must be obtained through insurance companies licensed to do business within the State of New York, must name the Town of Batavia as insured and must be maintained for the life of this Agreement.

The Fire Department shall deliver a copy of the policy of said insurance to the Town prior to the execution of this Agreement, covenants to pay the premiums thereon in timely fashion and to have said insurance policies provide for thirty (30) days written notice to the Town prior to cancellation. If the Fire Department shall fail to pay said premiums due hereunder in a timely fashion, the Town shall have the right to pay the same and to deduct the cost thereof from the amounts due the Fire Department under paragraph 7 of this Agreement.

In addition, the Fire Department hereby covenants and agrees to indemnify and hold the Town harmless from any and all losses and damages which the Town may sustain, suffer or be required to pay by reason of any claims made against said Town for injury to persons or property, including wrongful death, arising out of the performance of this agreement by the Fire Department to the extent that said losses and damages are not fully covered and paid by the insurance referred to herein.

3. Should any loss or damage whatsoever be sustained to the fire apparatus or other equipment, said loss or damage, including the cost of materials and any other special or incidental expenses incurred in the operation of the fire apparatus or equipment of the Fire Department in answering, attending upon or returning from a call for assistance in said Town of Batavia Fire Protection District, irrespective of the cause thereof, shall be a charge upon the Fire Department and not against the Town or against the Town of Batavia Fire Protection District. This fact is taken into consideration by both parties in arriving at the consideration to be paid to the Fire Department pursuant to this Agreement.

4. To the extent that the same is not otherwise provided for by the Genesee County Mutual Aid Plan, by the county of Genesee or by some other source, the Town of Batavia shall pay at its own expense or provide necessary insurance coverage at its expense for any and all claims authorized by law for medical expenses, loss of wages, compensation or other claims arising by reason of the injury or death of a fireman, or member of the Fire Department Emergency Relief Squad, a Fire Police Squad or a Fire Patrol sustained while answering or attending upon or returning from any such call in said District.

5. The Fire Department is hereby authorized by the Town to participate in the Genesee County Mutual Aid Plan and to answer calls for aid and assistance according to said Mutual Aid Plan and System. Nothing contained in this Agreement shall be deemed to prevent the Fire Department from securing reimbursement from any entities other than the Town and the Town of Batavia Fire Protection District for either any loss or damage to its fire apparatus, equipment or materials used for the locality that issues a call for aid or for payments to injured or deceased firemen as provided by any law of the State of New York.

6. In the event that the fire-fighting equipment owned by the Fire Department is in such condition that said Fire Department is unable to fulfill its obligations under this contract to answer or attend any fire occurring in said Town of Batavia Fire Protection District for a period of twenty-one (21) days or longer, the Fire Department covenants to reimburse the Town on a pro rata basis the sums provided to be paid to the Fire Department pursuant to this Agreement retroactive to the first day of said twenty-one

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(21) day period for the entire period of time during which it is unable to fulfill its obligations under this Agreement.

7. A. The Town covenants and agrees to pay to the Fire Department in consideration for services to be performed pursuant to this Agreement the sum of Seven Hundred Thirty-Four Thousand Five Hundred Twenty and 00/100 Dollars (\$734,520.00).

B. The sums as stated in this paragraph to be due and payable on the 1<sup>st</sup> day of February, 2012, upon presentation to the Town of a duly verified voucher therefore.

8. The Town covenants to provide snowplowing services for the parking and driveway area to the Fire Hall owned by the Fire Department, as well as routine maintenance of said parking lot and driveway area, both only to the extent that the Superintendent of Highways of the Town determines that said services can be provided. The Fire Department agrees to provide all materials and supplies for said maintenance services; acknowledges that said routine maintenance services shall be provided only during normal business hours of the Town of Batavia Highway Department and as other Town Highway Department functions permit. The Fire Department further acknowledges that said snowplowing services shall be provided only after the Town's Superintendent of Highways is satisfied that the highways of the Town of Batavia are reasonably free and clear of ice and snow and that men and machinery under his supervision and control are free to provide said services. The Fire Department hereby covenants to indemnify and to hold the Town harmless for any injury, loss or damage which the Fire Department or any other person, firm or corporation may suffer, sustain or be required to pay by reason of the Town not providing or failing to provide adequate snowplowing and/or maintenance services under the provisions of this Paragraph.

9. A. The Fire Department will provide an independent, certified audit of the financial affairs of the Fire Department.

B. Upon the Fire Department complying with the requirements of section A of this paragraph, the Town shall immediately pay to the Fire Department all remaining sums owing under the terms of this Agreement.

10. A. The Fire Department shall provide written notice to the Town of capital purchases as early as possible, but in no event not less than 30 days prior thereto; provided, however, that this provision shall not be construed as requiring or constituting any municipal approval or involvement in the corporate affairs of the Fire Department by the Town.

B. The Fire Department shall continue to exercise sound financial practices and planning, including maintenance of capital reserve accounts where feasible.

11. All moneys to be paid under any provision of this Agreement, as well as other payments which may be made from time to time according to applicable provisions of law which regulate the terms and provisions of this Agreement, shall be a charge upon the said Fire Protection District to be assessed and levied upon the taxable real property in said District and collected with the Town Taxes.

12. This Agreement shall become operative and effective from 12:01 a.m. January 1, 2012, and shall

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continue for a term of one (1) year which will expire at midnight on December 31, 2012.

13. It is understood and agreed that this contract is subject to the provisions of Section 184 of the Town Law of the State of New York.

**IN WITNESS WHEREOF**, the parties have duly executed and delivered this Agreement in duplicate the day and year first above written.

TOWN BOARD OF THE TOWN OF BATAVIA

BY \_\_\_\_\_  
GREGORY H. POST

(SEAL)

ATTEST:

\_\_\_\_\_  
TERESSA M. MORASCO, TOWN CLERK

TOWN OF BATAVIA FIRE DEPARTMENT, INC.

BY \_\_\_\_\_  
JOHN FITZSIMMONS, PRESIDENT

(SEAL)

**STATE OF NEW YORK)  
COUNTY OF GENESEE) ss:**

On the \_\_\_\_ day of \_\_\_\_\_, 2011, before me came GREGORY H. POST, to me known, who, being by me duly sworn, did depose and say that he resides at 8472 Seven Strings Road in the Town of Batavia, New York; and he is the Supervisor of the **TOWN OF BATAVIA, NEW YORK** the municipal corporation described in and who executed the foregoing Agreement; that he knows the seal of said Town; that it was affixed by order of the Town Board of said Town; and that he signed his name thereto by like order.

\_\_\_\_\_  
**NOTARY PUBLIC**

**STATE OF NEW YORK)  
COUNTY OF GENESEE) ss:**

On the \_\_\_ day of \_\_\_\_\_, 2011, before me came JOHN FITZSIMMONS, to me known, who, being by me duly sworn, did depose and say that, he resides at 5009 East Main St Rd, Batavia, New York; and he is the President of the **TOWN OF BATAVIA FIRE DEPARTMENT, INC.** the corporation described in and which executed the foregoing Agreement; that he knows the seal of said Corporation; that it was affixed by order of the Board of Directors of said Corporation; and that

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he signed his name thereto by like order.

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**NOTARY PUBLIC**

**RESOLUTION NO. 177:**

Deputy Supervisor Underhill offered the following:

**TOWN OF BATAVIA  
TOWN BOARD RESOLUTION TO ADOPT THE  
AGRICULTURAL & FARMLAND PROTECTION PLAN**

**WHEREAS,**

1. The Batavia Town Board has, after careful study, considered the proposed document entitled Town of Batavia Agricultural & Farmland Protection Plan, which was prepared with financial assistance from the NYS Department of Agriculture & Markets; and
2. The Batavia Town Board has considered comments made by the public at the Public Hearing held on December 21, 2011; and
3. The Batavia Town Board has provided copies of the Plan to the Genesee County Agricultural Enhancement Board, which approved the Plan on November 1, 2011; and
4. The Batavia Town Board has carefully considered the impacts associated with approval of the Plan and finds that said Plan constitutes a suitable, logical and timely strategy for the support of agriculture and protection of farmland in the Town of Batavia; and
5. The Batavia Town Board acknowledges and hereby gives public notice that official copies of the Town of Batavia Agricultural & Farmland Protection Plan and all modifications thereof shall be on file in the Office of the Batavia Town Clerk.

**NOW THEREFORE BE IT RESOLVED,** that

The document consisting of text, maps and charts entitled Town of Batavia Agricultural & Farmland Protection Plan is hereby adopted.

**Second by:** Councilman Lang

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

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

**Discussion-** The Supervisor thanked and applauded Deputy Supervisor Underhill on the extraordinary time and effort he dedicated to this committee. The first part of the year a committee will be formed to oversee the plan.

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**RESOLUTION NO. 178:**

Supervisor Post offered the following:

**RESOLUTION ADOPTING LOCAL LAW #2 OF 2011**

**WHEREAS**, proposed Local Law #2 of 2011 of the Town of Batavia entitled “A Local Law to Amend Chapters 89 and 235 of the Code of the Town of Batavia Regarding the Definitions and Duties of the Code Enforcement Officer and the Building Inspector”, which proposed Local Law in its final form was presented to the Town Board at the meeting held on November 23, 2011, and a copy thereof was kept with the Town Clerk and copies were both laid upon the desks of the members of said Town Board and mailed to each member of the Town Board not in attendance at said meeting, at least ten (10) days, exclusive of Sundays, prior to its final passage; and

**WHEREAS**, a public hearing on the advisability of enacting said proposed Local Law was held on December 21, 2011, before this Town Board, pursuant to public notice duly published in The Daily News according to law, at which time all interested persons were heard; and

**WHEREAS**, the Town Board of the Town of Batavia, New York, is of the opinion that adoption of said proposed Local Law #2 of 2011 is in the best interests of the Town of Batavia, New York,

**NOW, THEREFORE, BE IT RESOLVED**, by the Town Board of the Town of Batavia, New York that said proposed Local Law #2 of 2011, be and the same hereby is adopted, and such Local Law shall be entered in the minutes of the Batavia Town Board; and

**BE IT FURTHER RESOLVED**, that the Code of the Town of Batavia is hereby amended as more fully set forth in said Local Law; and

**BE IT FURTHER RESOLVED**, that certified copies of said Local Law #2 of 2011 be filed with the New York State Secretary of State in accordance with Law; and

**BE IT FURTHER RESOLVED**, that a summary of the provisions pursuant to Local Law #2 of 2011 be published once in The Daily News and that an affidavit of publication thereof be filed with the Town Clerk; and

**BE IT FURTHER RESOLVED**, that this Local Law shall become effective as provided by law upon its filing in the Office of the Secretary of State.

**Second by:** Councilman Gerace

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

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

**RESOLUTION NO. 179:**

Councilwoman Michalak offered the following:

**RESOLUTION ADOPTING LOCAL LAW No. 3 OF 2011**

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**WHEREAS**, proposed Local Law No. 3 of 2011 of the Town of Batavia entitled “A Local Law to Authorize a Grant to the Genesee County Industrial Development Agency to Construct Infrastructure Improvements for Genesee Valley Agri-Business Park Projects”, which proposed Local Law in its final form was presented to the Town Board at the meeting held on November 30, 2011, and a copy thereof was kept with the Town Clerk and copies both laid upon the desks of the members of said Town Board Members and mailed to each member of the Town Board Members not in attendance at said meeting; and

**WHEREAS**, a public hearing on the advisability of enacting said proposed Local Law was held on December 21, 2011, before this Town Board, pursuant to public notice duly published in The Daily News according to law, at which time all interested persons were heard; and

**WHEREAS**, the Town Board of the Town of Batavia, New York is of the opinion that adoption of said proposed Local Law No. 3 of 2011 is in the best interest of the Town of Batavia, New York,

**NOW, THEREFORE, BE IT RESOLVED**, by the Town Board of the Town of Batavia, New York that said proposed Local Law No. 3 of 2011 be and the same hereby is adopted; and

**BE IT FURTHER RESOLVED**, that a certified copy of said Local Law No. 3 of 2011 be filed with the New York State Secretary of State in accordance with Law.

**Second by:** Councilman Gerace

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

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

**RESOLUTION NO. 180:**

Councilman Gerace offered the following:

**PROPOSAL OF SERVICES AGREEMENT –SEQR/NEPA SERVICES  
ELLICOTT STREET ROAD PUMP STATION  
BETWEEN THE TOWN OF BATAVIA AND STUART I. BROWN ASSOCIATES**

**WHEREAS**, the Supervisor wishes to retain Stuart I. Brown Associates to assist the Town in satisfying the requirements of the SEQR/National Environmental Protection Act (NEPA) for the proposed construction of the Ellicott Street Road pump station at a cost of one thousand, seven hundred, fifty dollars (\$1,750.00).

**NOW, THEREFORE, BE IT RESOLVED**, the Batavia Town Board hereby authorizes the Supervisor to retain Stuart I. Brown Associates for the aforementioned service and cost and to execute the agreement between the Town of Batavia and Stuart I. Brown Associates.

**Second by:** Councilwoman Michalak

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

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

**RESOLUTION NO. 181:**

Councilman Lang offered the following:

**TOWN OF BATAVIA  
ELLICOTT STREET ROAD PUMP STATION  
SEQR RESOLUTION**

**RESOLVED**, that in accordance with the New York State Environmental Quality Review regulations (SEQR), the Town Board of the Town of Batavia declares itself Lead Agency to conduct an environmental review under Section 617.7 of the New York State Codes, Rules and Regulations (NYSCRR) of a project to construct a pump station on Ellicott Street Road. The pump station is needed to resolve issues of low water pressure within the Putnam Shepard Water District, the Ellicott Street Road and Townline Road Water District and Stafford Water District No. 6.

**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 potential environmental impact of the above-listed action. The Town Board hereby accepts the environmental assessment of the proposed project prepared by Stuart I. Brown Associates, Inc., dated December 21, 2011. 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:** Deputy Supervisor Underhill

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

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

**RESOLUTION NO.182:**

Deputy Supervisor Underhill offered the following:

**AMENDMENT TO RESOLUTION 2 OF 2011  
ADOPTION OF SALARIES FOR 2011**

**RESOLVED**, the Batavia Town Board hereby amends resolution number 2 of 2011, entitled “Adoption of Salaries for 2011”, amending Assistant Engineer rate of pay from \$48.93 per hour to \$43.90 per hour; and be it further

**RESOLVED**, this rate is hereby retroactive to January 1, 2011.

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

**RESOLUTION NO. 183:**

Supervisor Post offered the following:

**SURPLUS ITEMS FROM TOWN OF BATAVIA**

**WHEREAS**, the Town of Batavia Highway Department has a 2003 Dixie Chopper riding lawn mower that they no longer need and would like to sell it at auction.

**NOW THEREFORE BE IT,**

**RESOLVED**, the Batavia Town Board hereby authorizes the Highway Superintendent to surplus the 2003 Dixie Chopper riding lawn mower and sell it at auction.

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

**RESOLUTION NO. 184:**

Councilwoman Michalak offered the following:

**HIRE PART-TIME LABORER**

**WHEREAS**, a part-time laborer is needed to assist in the Highway Department on an as needed basis; and

**WHEREAS**, the Highway Superintendent is receiving and reviewing applications to hire a part-time laborer.

**NOW, THEREFORE, BE IT**

**RESOLVED**, the Batavia Town Board hereby authorizes the Highway Superintendent to hire a part-time laborer to assist in the Highway Department on an as needed basis, at an hourly rate of eleven dollars and three cents (\$11.03) per hour, not to exceed 19 ½ hours per week.

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

**RESOLUTION NO. 185:**

Councilman Gerace offered the following:

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**TEMPORARY MOTOR EQUIPMENT OPERATOR  
HIGHWAY DEPARTMENT**

**WHEREAS**, the Highway Department is short a Motor Equipment Operator (MEO) employee due to a medical leave; and

**WHEREAS**, the Highway Superintendent is receiving and reviewing applications to hire a temporary MEO.

**NOW, THEREFORE, BE IT**

**RESOLVED**, the Batavia Town Board hereby authorizes the Highway Superintendent to hire a temporary MEO employee for the Highway Department at a rate of fifteen dollars (\$15.00) per hour; and be it

**FURTHER RESOLVED**, the expenditure will be appropriated from line item DA5142.100.

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

**RESOLUTION NO. 186:**

Councilman Lang offered the following:

**AUTHORIZING BUDGET MODIFICATION FOR 2011  
UNAPPROPRIATED GENERAL FUNDS TO HIGHWAY FUNDS**

**RESOLVED**, the Batavia Town Board hereby authorizes \$270,000 from the Un-appropriated General Fund Balance to Highway Fund.

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

**RESOLUTION NO. 187:**

Deputy Supervisor Underhill offered the following:

**AUTHORIZING BUDGET MODIFICATION FOR 2011  
HIGHWAY RESERVE FUND TO WORTENDYKE CAPITAL PROJECT**

**RESOLVED**, the Batavia Town Board hereby authorizes \$270,000 from Highway Reserve Fund to the Wortendyke Road Capital Project.

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

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**RESOLUTION NO. 188:**

Supervisor Post offered the following:

**RESOLUTION TO ESTABLISH TWO TEMPORARY POSITIONS  
PART-TIME CLERKS-LGRMIF GRANT AWARD**

**WHEREAS**, the Town of Batavia received a Local Government Records Management Improvement Fund (LGRMIF) Grant; and

**WHEREAS**, a two part-time temporary Imaging Clerk positions need to be created for support staff to complete the LGRMIF grant project.

**NOW, THEREFORE, BE IT**

**RESOLVED**, the Batavia Town Board hereby establishes two part-time temporary Imaging Clerk positions.

**Second by:** Councilman Gerace

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

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

**RESOLUTION NO. 189:**

Councilwoman Michalak offered the following:

**RESOLUTION TO RETAIN  
PART-TIME TEMPORARY IMAGING CLERK-LGRMIF GRANT**

**WHEREAS**, the Town of Batavia received notice of tentatively being awarded a Local Government Records Management Improvement Fund (LGRMIF) Grant; and

**WHEREAS**, the Town Clerk wishes to retain Mary Cordes as one of the temporary Imaging Clerks to complete the LGRMIF grant project.

**NOW, THEREFORE, BE IT**

**RESOLVED**, the Batavia Town Board hereby retains Mary Cordes as the temporary Imaging Clerk at a salary of \$14.00 per hour, appropriated from line item A1410.101, contingent on receiving final notice of the grant award from New York State.

**Second by:** Councilman Gerace

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

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

**RESOLUTION NO. 190:**

Councilman Gerace offered the following:

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**RESOLUTION TO RETAIN  
PART-TIME TEMPORARY IMAGING CLERK-LGRMIF GRANT**

**WHEREAS**, the Town of Batavia received notice of tentatively being awarded a Local Government Records Management Improvement Fund (LGRMIF) Grant; and

**WHEREAS**, Katelyn Parmenter did an internship in the Batavia Town Court; and

**WHEREAS**, Ms. Parmenter did an exceptional job; and

**WHEREAS**, Town Justice Cleveland and Town Justice Williams recommended hiring Katelyn Parmenter as one of the temporary Imaging Clerks to complete the LGRMIF grant project.

**NOW, THEREFORE, BE IT**

**RESOLVED**, the Batavia Town Board hereby retains Katelyn Parmenter as the temporary Imaging Clerk at a salary of \$14.00 per hour, appropriated from line item A1410.101, contingent on receiving final notice of the grant award from New York State.

**Second by:** Deputy Supervisor Underhill

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

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

**RESOLUTION NO. 191:**

Councilman Lang offered the following:

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

**WHEREAS**, the Town wishes to retain Stuart I. Brown Associates to prepare an application 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**, the application for funding is to assist with improvements to the property assessment records. The cost to prepare the application is two thousand dollars (\$2,000.00) (proposal attached).

**NOW, THEREFORE, BE IT RESOLVED**, the Batavia Town Board hereby authorizes the Supervisor to retain Stuart I. Brown Associates for the preparation of the LGRMIF Application at a cost not to exceed two thousand dollars (\$2,000.00) and to execute an agreement between the Town of Batavia and Stuart I. Brown Associates.

**Second by:** Deputy Supervisor Underhill

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

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

**RESOLUTION NO. 192:**

Deputy Supervisor Underhill offered the following:

**RESOLUTION TO ADOPT  
FUND BALANCE POLICY  
GASB STATEMENT NUMBER 54**

**WHEREAS**, the Governmental Accounting Standards Board (GASB) issued GASB Statement Number 54(Statement 54), *Fund Balance Reporting and Governmental Fund Type Definitions* in February2009. Statement 54 abandons the reserved and unreserved classifications of fund balance and replaces them with five new classifications: non-spendable, restricted, committed, assigned and unassigned. In addition, Statement 54 updates the definitions of governmental fund types, with the most significant changes related to special revenue funds. These changes were made to bring greater clarity and consistency to fund balance reporting, resulting in an improvement in the usefulness of fund balance information; and

**WHEREAS**, the Statement 54 requires local governments to focus on the constraints imposed upon resources when reporting fund balance in governmental funds. The new fund balance classifications will indicate the level of constraints placed upon how resources can be spent and identify the sources of those constraints.

**NOW, THEREFORE BE IT,**

**RESOLVED**, to comply with the GASB Statement Number 54 the Batavia Town Board hereby adopts the Fund Balance Policy annexed and made a part of the minutes; and be it further

**RESOLVED**, the Supervisor is hereby authorized to complete actions as necessary to comply with the requirements of GASB Statement No. 54 and to make a determination of the assigned amounts of the fund balance.

**Second by:** Councilman Lang

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

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

**TOWN OF BATAVIA  
FUND BALANCE POLICY  
GASB STATEMENT NO. 54**

**Reserve Funds**

Reserve funds (which essentially are a legally authorized savings account for particular specific purposes) are an important component in the Town's financial planning for specific expenses, future

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projects, acquisitions and other lawful purposes. To this end the Town may establish and maintain reserve funds in accordance with New York State Laws. The Town will also consider rules and/or opinions issued by the New York State Comptroller when they are not in conflict with law.

Town reserve funds must be properly established and maintained to promote the goals of creating an open, transparent and accountable use of public funds. The Town may engage independent experts and professionals, including but not limited to auditors, accountants and other financial and legal counsel, as necessary to monitor all reserve fund activity and prepare reports that the Town Board may require.

**Government Fund Type Assignment (GASB 54)**

The Town shall comply with the reporting requirements of Article 3 of General Municipal Law of the State of New York and the Governmental Accounting Standards Board (GASB) Statement Number 54, Fund Balance Reporting and Governmental Fund Types Definitions. The Board authorizes the Supervisor to complete the following actions as necessary to comply with the requirements of GASB Statement No. 54:

- A. Restricted Fund Balances - restricted fund balances consists of amounts that are subject to externally enforceable legal purpose restrictions imposed by creditors, grantors, contributors, or laws and regulations of other governments; or through constitutional provisions or enabling legislation.
- B. Committed Fund Balances - committed fund balances consists of amounts that are subject to a purpose constraint imposed by a formal action of the Town Board before the end of the fiscal year, and that require the same level of formal action to remove the constraint.
- C. Assigned Fund Balances - assigned fund balances consists of amounts that are subject to a purpose constraint that represents an intended use established by the government's highest level of decision-making authority, or by their designated body or official. The Board authorized the Supervisor to make a determination of the assigned amounts of fund balance. Assigned funds represent amounts intended to be used for a specific purpose. Assigned fund balances require same level of authority to remove the constraint.

**Funding Policy for Restricted or Committed and Assigned Fund Balances**

The formal action of the government's highest level of decision-making authority that restricts, commits or assigns fund balance to a specific purpose should occur prior to the end of the reporting period, but the amount, if any, which will be subject to the constraint, may be determined in the subsequent period.

**Spending Policy for Fund Balances**

The Town Board will determine the composition of its ending fund balance by applying its accounting policies regarding whether it considers restricted or unrestricted amounts to have been

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spent when an expenditure is incurred for purposes for which both restricted and unrestricted (committed, assigned, or unassigned) amounts are available. Similarly, within unrestricted fund balance, the classification should be based on the government's accounting policies regarding whether it considers committed, assigned or unassigned amounts to have been spent when an expenditure is incurred for purposes for which amounts in any of those unrestricted fund balance classifications could be used. If a government does not establish a policy for its use of unrestricted fund balance amounts, it should consider that committed amounts would be reduced first, followed by assigned amounts, and then unassigned amounts when expenditures are incurred for purposes for which amounts in any of those unrestricted fund balance classifications could be used.

**Periodic Review and Annual Report**

The Town Board and management will periodically review all restricted committed and assigned fund balances. The Town will prepare and submit an annual report of all restricted, committed and assigned funds for the Town Board. The annual report shall include the following information for each reserve fund.

- A. The type and description of the reserve fund
- B. The interest earned on each reserve fund
- C. Capital gains or losses resulting from the sale of investments of the reserve funds
- D. The sum total increase and sum total decrease in the reserve funds
- E. The ending balance in the reserve funds at fiscal year end
- F. A summary statement of projected use and the need of the reserve funds

The Board shall utilize the information in the annual report to discuss reserve fund balances and to adequately maintain necessary funds for the Town's long-term financial planning. The Board will be mindful of its role and responsibility as a fiduciary of public funds when acting on reserve fund issues.

**RESOLUTION NO. 193:**

Supervisor Post offered the following:

**RESOLUTION TO RATIFY AND APPROVE A CONTRACT TO PURCHASE**

**19 ACRES OF VACANT LAND AT 999 PARK ROAD**

**WHEREAS**, on August 17, 2011, the Town Board passed a Resolution to Purchase a 19 Acre Parcel of Vacant Land Located at 999 Park Road, Tax Map No. 71.13-3-1.111, and

**WHEREAS**, the Town Board did authorize the Town Supervisor to execute on behalf of the Town a "Purchase and Sale Contract for Lots and Vacant Land" with annexed Exhibits A and B, and Buyer's Responsibilities Addendum, (hereinafter referred to as "Contract"), and

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**WHEREAS**, Paragraph 4 of said Contract contained a closing date of October 1, 2011, and Paragraph 14 of said Contract stated that the offer expired on August 31, 2011, at 5:00 p.m., and

**WHEREAS**, this Contract was submitted to the City of Batavia, which is the owner of said parcel, and

**WHEREAS**, the City of Batavia adopted a Resolution on October 11, 2011, to authorize to sell this parcel to the Town of Batavia, which date was after the aforesaid life of the offer deadline, and

**WHEREAS**, on October 19, 2011, the City Council President executed the Contract on behalf of the City of Batavia, which also contained an "Addendum No. 1 to Contract Between City of Batavia ("Seller") and Town of Batavia ("Buyer") Regarding 999 Park Road, Batavia, New York", (hereinafter referred to as "Addendum No. 1"), which extended the closing date in Paragraph 4 of the Contract, until January 31, 2012, and extended the life of the offer in Paragraph 14 of the Contract until November 15, 2011, at 5:00 p.m., said deadline being after the City Council approved this sale and the City Council President executed the Contract on behalf of the City, and

**WHEREAS**, the Town Board believes it would be in the best interest of the residents to move forward with the purchase of this parcel as originally approved and wishes to ratify and approve the Contract with extended dates, pursuant to Addendum No. 1.

**NOW, THEREFORE, BE IT RESOLVED** by the Town Board of the Town of Batavia, New York, that the life of the offer previously set forth in the Contract of August 31, 2011, at 5:00 p.m. and the closing date therein, are hereby extended as proposed in Addendum No. 1, and

**BE IT FURTHER RESOLVED** that the Contract previously approved on August 17, 2011, is hereby ratified and approved with the revisions set forth in Addendum No. 1, and

**BE IT FURTHER RESOLVED** that the Supervisor of the Town is hereby authorized and directed to execute the aforesaid "Purchase and Sale Contract for Lots and Vacant Land", with annexed Exhibit A, Exhibit B, Buyer's Responsibilities Addendum and Addendum No. 1; as well as any and all other documents that need to be executed to purchase a 19 acre parcel of vacant land, located on the southeast corner of Veteran's Memorial Drive and Park Road, known locally as 999 Park Road in the City of Batavia, Genesee County and State of New York, Tax Map No. 71.13-3-1.111, from the City of Batavia for the purchase price of \$150,000.00.

**Second by:** Councilman Lang

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

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

**RESOLUTION NO. 194:**

Councilwoman Michalak offered the following:

**AUTHORIZATION FOR ADVERTISEMENT**

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**THE LEGISLATIVE GAZETTE**

**WHEREAS**, on Tuesday, February 7<sup>th</sup>, 2012 a Special Report featuring Genesee County will be published in The Legislative Gazette Newspaper; and

**WHEREAS**, The Legislative Gazette is hand delivered to all the policymakers in Albany including the Governor's Office and every Legislator's Office; and

**WHEREAS**, this is a unique opportunity to promote the strength of the community as well as the unique characteristics that make the Town a great place to live, work, learn and play by placing an advertisement in this Special Report.

**NOW, THEREFORE, BE IT**

**RESOLVED**, the Batavia Town Board hereby authorizes a quarter page advertisement in The Legislative Gazette Newspaper's at a cost of six hundred, ninety-two dollars and twenty cents (\$692.20), as a 2012 expenditure.

**Second by:** Councilman Gerace

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

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

**RESOLUTION NO. 195:**

Councilman Gerace offered the following:

**APPLICATION X-TENDER/QUICK SCAN PRO  
MAINTENANCE AGREEMENT  
BETWEEN BIEL'S AND THE TOWN OF BATAVIA**

**WHEREAS**, the Town purchased Documentum Software (Application X-tender & Quick Scan Pro in January 2009 from Biel's for records management; and

**WHEREAS**, in January 2010 additional modules and applications were purchased from Biel's through the Local Government Records Management Grant funds received by the Town; and

**WHEREAS**, the annual maintenance cost for this software is five thousand, seven hundred, twelve dollars (\$5,712.00) (agreement attached), the current agreement expires January 13, 2012.

**NOW, THEREFORE, BE IT**

**RESOLVED**, the Batavia Town Board hereby authorizes the Supervisor to execute the annual Maintenance Agreement for the Documentum Software between the Town of Batavia and Biel's at a cost of five thousand, seven hundred, twelve dollars (\$5,712.00) for one (1) year starting January 14, 2012.

**Second by:** Deputy Supervisor Underhill

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

**RESOLUTION NO. 196:**

Councilman Lang offered the following:

**CONTRACT TO PROVIDE ASSISTANCE TO EMPLOYEES WHO  
HAVE ALCOHOL, DRUG, FINANCIAL AND OTHER PERSONAL PROBLEMS**

**WHEREAS,** at the November 15, 1995 Town Board Meeting the Town Board adopted an Alcohol and Drug Testing Policy;

**WHEREAS,** the Town wishes to provide assistance to employees who have alcohol, drug, financial and other personal problems;

**WHEREAS,** Royal Employer Services will provide these services to the Town at a cost of three hundred, twenty dollars (\$320.00) annually (contract attached).

**RESOLVED,** the Batavia Town Board hereby authorizes the Supervisor to execute the contract between the Town of Batavia and Royal Employer Services to provide assistance to employees who have alcohol, drug, financial, and other personal problems.

**RESOLVED,** this contract runs from January 1, 2012 to December 31, 2012.

**Second by:** Councilwoman Michalak

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

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

**RESOLUTION NO. 197:**

Deputy Supervisor Underhill offered the following:

**AUTHORIZING BUDGET TRANSFERS FOR 2011**

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

**General Fund:**

From	Amount	To
A1220.401 Supervisor-Bookkeeper Contr	\$300.00	A1220.400 Supervisor – Contractual
A1355.103 Assessor – PT Assistant	\$100.00	A1355.200 Assessor – Equipment
A1620.200 Building – Equipment	\$3050.00	A1620.403 Bldg – Janitorial
A1620.400 Building – Utilities	\$2700.00	A1620.402 Bldg – Janitorial
A1989.400 Miscellaneous	\$3115.00	A1940.400 Land Acquisition
A1989.400 Miscellaneous	\$1053.00	A1950.400 Taxes on Property
A3620.100 Bldg & Safety – Pers Svc	\$5000.00	A3620.103 Bldg & Safety Pers Svc
A3620.200 Bldg & Safety Equip	\$4213.00	A3620.402 Bldg & Safety – Engineer
A3620.200 Bldg & Safety Equip	\$241.00	A3620.400 Bldg & Safety – Contractual
A3620.120 Bldg & Safety Prs Svc	\$1775.00	A3620.401 Bldg & Safety – Legal

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A4250.400 Alcoholic Control	\$20.00	A4320.400 Mental Health
A5132.400 Garage – Utilities	\$289.00	A5132.402 Garage – Other Operating Exp
A7110.102 Parks – Pers Svc	\$169.00	A7110.402 Parks – Sports Park
A5132.400 Garage – Utilities	\$108.00	A5010.400 Supt – Contractual
A7560.400 Adult Rec – Contractual	\$24.00	A7510.400 Historic Programs – Contr
A8010.402 ZBA – Training	\$750.00	A8010.102 ZBA – Pers Svc
A8020.102 Planning Board – Bd Members	\$1500.00	A8020.101 Planning Board – Secretary
A8020.403 Planning Board Ordinances	\$1500.00	A8020.404 Planning Board – Codification
A8020.406 Planning Board – Training	\$800.00	A8020.401 Planning Board Legal Fees
A8010.401 ZBA – Legal fees	\$511.00	A8020.401 Planning Board – Legal Fees
A8020.102 Planning Board – Bd Members	\$948.00	A8020.401 Planning Board – Legal fees
A8020.102 Planning Board – Bd Members	\$474.00	A8020.404 Planning Board – Codification
A8120.400 Swr Imp Thruway – Contr	\$660.00	A8120.102 Swr Imp Thruway – Pers Svc PT
A8162.101 Trs St – Pers Svc	\$1285.00	A8162.100 Trs St – pers Svc
A8030.400 R&D – Contractual	\$1825.00	A8162.400 Trs St – Contractual
A8164.407 Sanitary LF – Lech Trs	\$218.00	A8164.102 Sanitary LF – Pers Svc
A8164.407 Sanitary LF – Lech Trs	\$2826.00	A8164.403 Sanitary LF – Env Testing
A8165.403 Superfund – Env Testing	\$954.00	A8165.406 – Superfund Post Closure Maint
A8540.401 Community Drainage	\$1577.00	A8662.400 Public Works GCCCP
A1110.200 Justice Equipment	\$1784.00	A1110.402 Justice Contractual Cleveland
A1110.201 Justice Equipment	\$592.00	A1110.402 Justice Contractual Cleveland
A1220.402 Supervisor-Secretary Contr	\$1283.00	A1220.400 Supervisor – Contractual
A1420.406 Attorney – Collab Agreement	\$1300.00	A1420.400 Attorney – Contractual
A1620.400 Bldg – Utilities	\$800.00	A1620.402 Bldg – Other Operating Exp
A1620.400 Bldg – Utilities	\$1630.00	A1620.403 Building – Janitorial
A1989.400 Misc exp	\$3043.00	A1910.400 Unallocated Ins
A3620.120 Bldg & safety – OT	\$713.00	A3620.401 Bldg & Safety – Legal
A3620.102 Bldg & Safety – Secretary	\$4720.00	A3620.402 Bldg & safety – Engineering
A5132.403 Garage Insurance	\$200.00	A5132.400 Garage – Contractual
A5132.403 Garage Insurance	\$332.00	A5132.402 Garage – Other Operating Exp
A5132.403 Garage Insurance	\$953.00	A5182.400 Street Lighting – Contractual
A8161.400 Recycling Contractual	\$930.00	A8162.400 Tran St – Contractual
A5132.403 Garage Insurance	\$27.00	A8162.400 Tran St – Contractual
A8165.404 Superfund – Legal	\$55.00	A8165.406 Superfund – Post Close Maint
A8662.400 Public Works	\$33273.00	A9010.800 Retirement
A1989.400 Miscellaneous	\$5869.00	A9010.800 Retirement
A7110.401 Parks – Galloway Rd	\$62826.00	A1940.400 Land Acquisition
A7110.401 Parks – Galloway Rd	\$30584.00	A9060.800 Health Insurance
A7110.401 Parks – Galloway Rd	\$8785.00	A9040.800 Workers Comp.

**Sewer District 1**

SS1-8120.401 Sant Swr – Legal	\$563.00	SS1-Sanitary Swr - Equipment
SS1-1910.400 Unallocated Ins	\$1000.00	SS1-8120.103 San Swr Pers Svc

**Sewer District 2**

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SS2-1910.400 Unallocated Ins	\$1008.00	SS2-9060.800 Health Insurance

**Water**

SW1910.400 Unallocated Ins	\$3523.00	SW9060.800 Health Insurance
SW8310.401 Wtr Admin – Backflow	\$125.00	SW8310.400 Wtr Admin – Contractual

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

**RESOLUTION NO. 198:**

Supervisor Post offered the following:

**DRUG AND ALCOHOL TESTING SERVICES**

**WHEREAS**, at the November 15, 1995 Town Board Meeting the Town Board adopted an Alcohol and Drug Testing Policy;

**WHEREAS**, the Town needs to contract for these testing services;

**WHEREAS**, WorkFit Medical, LLC, will provide these services, for employees holding safety sensitive positions (costs attached).

**RESOLVED**, the Batavia Town Board hereby retains WorkFit Medical, LLC for drug and alcohol testing services, for employees holding safety sensitive positions per costs above;

**RESOLVED**, this service runs from January 1, 2012 to December 31, 2012.

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

**RESOLUTION NO. 199:**

Councilwoman Michalak offered the following:

**TOWN OF BATAVIA FIRE DEPARTMENT  
EMS REGISTRATION LETTER**

**RESOLVED**, the Town of Batavia Board hereby authorizes the Supervisor to send a letter to the New York State Department of Health for the Town of Batavia Fire Department EMS registration, granting the Town of Batavia Fire Department to respond to EMS related 911 calls within the Town of Batavia (letter attached).

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**Second by:** Councilman Gerace

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

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

**Abstract No. 12-2011:** Motion by Councilman Gerace, second by Deputy Supervisor Underhill to authorize the Supervisor to pay the following vouchers:

General	\$167,079.83
Highway	12,390.78
Sewer No. 1	3,384.14
Sewer No. 2	3,848.52
Water	13,830.28
Ellicott	652.50
Wortendyke	7,000.00
West Main Sewer	4,500.00
<b>Total</b>	<b>\$212,686.05</b>

Check numbers 16455 thru 16529, online \$502.37

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

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

**DEPARTMENT REPORTS:**

**Planning Board Chair Jasinski** reported that it has been quiet. The Planning Board's next meeting is the third Tuesday in January.

**Fire Department-** Randy McIntyre, Fire Chief reported that the Town of Batavia Fire Department is running well. They are in the process of making sure the equipment is up-to-date and their training is ongoing.

**Water/Sewer – Steve Mountain, Town Engineer reported on the following:**

**West Main Sewer-** The Town was awarded the Community Development Block Grant for the West Main Road Sewer.

**Water Projects-** Continuing on grants for water projects

**Water Main** on Downey Road for Oakfield is complete

**Ag Park** lines are in. The pump station needs to be installed.

**Highway-**The Supervisor reported that the Highway Department is in the standby mode. The mild weather has helped balance out the budget. They have been working on repairing equipment.

**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's paying a rate of .45% and .20%.

**Organizational and Special Town Board Meeting-** January 4, 2012 at 7:00 P.M. will be the

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Organizational Meeting along with a Special Town Board Meeting.

**LEADERSHIP GENESEE-** Motion Councilman Gerace, second Councilman Lang authorizing Jason Ambrewster to participate in the 2012 Leadership Genesee program at a cost of \$1,950.00.

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

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

**BUILDING INSPECTOR CONFERENCE** -Motion Councilman Lang, second Deputy Supervisor Underhill authorizing the Building Inspectors to attend the Finger Lakes Building Officials Annual Conference (FLBOA) March 12 through March 15, 2012 at a cost of \$390.00 each. Expenditure will be from the 2012 budget.

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

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

**COMMUNICATIONS:**

**The Town Clerk reported on the following:**

**November Town Clerk monthly report collected** a total of \$4,452.60 remitted \$3,244.27 to the Supervisor for the Local Share.

**2012 Tax Bills-** Received the 2012 Town/County Tax Warrant. The tax bills will be sent out on December 30<sup>th</sup>.

**Mandate Reform-**Received acknowledgement letters from Assemblyman Stephen Hawley and Assembly Minority Leader Brian Kolb that they are in receipt of the Town's resolution for Mandate Reform.

**COMMITTEE REPORTS:**

**Parks-** Councilman Gerace reported that for the second time no grant was awarded to the Town. The grant dollars that are being awarded have been reduced.

The park committee will be meeting in January with the Water & Soil Conservation for a boat launch at Kiwanis Park.

**NYS Auditor-** The Supervisor reported that the NYS Auditor is completing an audit of the Town's records and reporting of business.

**ADJOURNMENT:**

Motion Councilman Lang, second Councilwoman Michalak to adjourn the Regular Town Board Meeting at 7:59 P.M.

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

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

**Merry Christmas and Happy New Year to all!!!!**

Respectfully submitted,

Teressa M. Morasco  
Town Clerk