

**APRIL 20, 2011
REGULAR TOWN BOARD MEETING**

Town Hall

7:00 P.M.

Patti Michalak, Councilwoman led the pledge to the flag.

Roll Call

Present: Supervisor Post
Deputy Supervisor Underhill
Councilman Lang
Councilwoman Michalak

Absent: Councilman Gerace

Others

Present: Town Clerk Morasco
Roger Muehlig, Daily News Reporter
Brittany Baker, Batavian Reporter

The Supervisor called the meeting to order at 7:10 P.M.

March 16, 2011 Public Hearing-CDBG Funding: Motion Councilman Lang, second Deputy Supervisor Underhill to approve the minutes as written.

Ayes: Lang, Underhill, Michalak, Post

MOTION CARRIED by unanimous vote (4-0)

March 16, 2011 Regular Town Board Meeting: Motion Councilwoman Michalak, second Councilman Lang to approve the minutes as written.

Ayes: Michalak, Lang, Underhill, Post

MOTION CARRIED by unanimous vote (4-0)

April 6, 2011 Regular Town Board Meeting: Motion Deputy Supervisor Underhill, second Councilman Lang to approve the minutes as written.

Ayes: Underhill, Lang, Michalak, Post

MOTION CARRIED by unanimous vote (4-0)

RESOLUTION NO. 79:

Councilman Lang offered the following:

**PROCLAMATION
150TH ANNIVERSARY OF THE CIVIL WAR**

WHEREAS, from April 12, 2011 until May 26, 2015 is the 150th Anniversary of the Civil War, a Sesquicentennial in Commemoration of those who made the supreme sacrifice for our country and providing our citizens with the opportunity to reflect on the importance of this fundamental period in our nation's history; and

WHEREAS, New York State provided more manpower, materials and money than any other State, and the Union would not have won the Civil War without the support provided by New York

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State; and

WHEREAS, our great State also suffered more deaths during that horrific struggle than any other State and the sacrifices made from the Towns and Villages of Genesee County contributed unselfishly to the cause of preserving the Union, our brave soldiers fought the good fight in the bloody battles in which 274 men according to the New York State Census of 1865 gave their lives in the line of duty; and

WHEREAS, the Genesee County Federation of Historical Agencies appointed a Civil War Commemoration Committee so that our county will be provided with events and projects to allow our citizens an opportunity to learn about this critical time in our history.

NOW, THEREFORE, BE IT

RESOLVED, the Batavia Town Board does hereby proclaim on this auspicious occasion that on April 12, 2011 as the beginning of the Sesquicentennial of the Civil War; and be it

FURTHER RESOLVED, that the historic significance of the Civil War will be Commemorated in Genesee County and that during the next four years our local museums will have displays honoring our courageous soldiers and citizens who participated in the Civil War, Genesee Community College and the Genesee County Civil War Roundtable will provide lectures, the History Department will create a database index of our soldiers and the local Historical Societies will sponsor events.

Second by: Councilwoman Michalak
Ayes: Lang, Michalak, Underhill, Post
APPROVED by unanimous vote (4-0)

RESOLUTION NO. 80:

Deputy Supervisor Underhill offered the following:

**RESOLUTION TO APPROVE AND APPOINT MEMBERS TO THE
CONSOLIDATED CHARTER TASK FORCE**

WHEREAS, the City and Town of Batavia on March 9, 2010, entered into an “Inter-municipal Agreement By and Between the City of Batavia, New York and the Town of Batavia, New York to Appoint a Consolidated Charter Task Force”, and

WHEREAS, the Inter-municipal Agreement provided for the appointment of an Interview Committee to review applications and interview candidates to provide recommendations to both municipalities, and

WHEREAS, the Interview Committee has met, completed its tasks, and recommended the eight individuals and two alternates as hereafter stated.

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Batavia, New

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York that the eight citizens and two alternates, as set forth below, are hereby approved and appointed to serve on the Consolidated Charter Task Force, subject to City Council approval:

1.	Gail Stevens	20 Woodrow Road	City of Batavia
2.	Laura Landers	6 Park Avenue	City of Batavia
3.	Chad Bachorski	513 East Main Street	City of Batavia
4.	Dan Jones	22 Washington Avenue	City of Batavia
5.	Chad Zambito	4063 W. Main St. Rd.	Town of Batavia
6.	Marcia Riley	2982 Galloway Road	Town of Batavia
7.	Judith Cotton	3704 Pearl St. Rd.	Town of Batavia
8.	Larry Reisdorf	3423 W. Main St. Rd.	Town of Batavia

Alternates

1.	Joseph Gerace	16 Vine Street	City of Batavia
2.	Alan Koch	2 Victorian Drive	Town of Batavia

Second by: Councilman Lang

Ayes: Underhill, Lang, Michalak, Post

APPROVED by unanimous vote (4-0)

Discussion- The Supervisor complimented all applicants and thanked the interviewing committee. Every citizen could and would be trusted to be advocates. Deputy Supervisor Underhill expressed that it was a very good process and all were good candidates. The Supervisor informed that all the candidates said that they would continue to follow the process and remain informed.

RESOLUTION NO. 81:

Supervisor Post offered the following:

**CONTRACT BETWEEN THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL
CONSERVATION AND THE TOWN OF BATAVIA-BATAVIA FLOOD PROTECTION
PROJECT
ANNUAL MOWING AND SHOAL REMOVAL**

WHEREAS, the New York State Department of Environmental Conservation (NYSDEC) has been contracting with the Town of Batavia for the purpose of maintaining the Batavia Flood Protection Project Annual Mowing and Shoal Removal; and

WHEREAS, the NYSDEC wishes to extend this contract from May 15, 2011 to May 14, 2012, reimbursing the Town in the amount of thirteen thousand, seven hundred and fifty dollars (\$13,750.00). (documentation attached).

NOW THEREFORE BE IT,

RESOLVED, the Batavia Town Board hereby authorizes the Supervisor to execute the contact

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between the NYSDEC and the Town of Batavia, the Town providing the aforementioned service for the NYSDEC at a cost of thirteen thousand, seven hundred fifty dollars (\$13,750.00).

Second by: Councilwoman Michalak
Ayes: Post, Michalak, Lang, Underhill
APPROVED by unanimous vote (4-0)

RESOLUTION NO. 82:

Councilwoman Michalak offered the following:

HIGHWAY SHARED SERVICES AGREEMENT

WHEREAS, in May 2006 the Town of Batavia adopted a Highway Shared Services Agreement to be in compliance with the New York State Highway Law and General Municipal Law, for sharing equipment, materials and services with other Genesee County municipalities and neighboring counties that was being done on an informal basis; and

WHEREAS, the current agreement expires in May 2011; and

WHEREAS, the Batavia Town Board has determined that it is in the best interest of the Town to continue to be a party to such shared services arrangement.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Supervisor is hereby authorized and directed to execute the Highway Shared Services Agreement, annexed to and made part of this resolution, which shall be effective immediately for five (5) years and shall expire five (5) years from the date of its signing. The Town Board shall review this agreement each year, and be it

FURTHER RESOLVED, that the Town Clerk is authorized and directed to file a copy of the Highway Shared Services Agreement with the Town Clerk and Superintendent of Highways of each municipality within the County of Genesee.

Second by: Councilman Lang
Ayes: Michalak, Lang, Underhill, Post
APPROVED by unanimous vote (4-0)

RESOLUTION NO. 83:

Councilman Lang offered the following:

**RESOLUTION TO APPROVE A RETAIL WATER SUPPLY AGREEMENT
WITH THE TOWN OF ALEXANDER**

WHEREAS, the Town of Batavia has entered into agreements with Genesee County to be supplied with water and has developed a water distribution system of its own, and has authority to sell

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water from its distribution system to customers, including other municipalities outside of the Town of Batavia, and

WHEREAS, the Town of Alexander has formed the Town of Alexander Pike Road Water District No. 3 within its Town, and

WHEREAS, the Town of Alexander on behalf of this Water District desires to purchase water from the Town of Batavia for this District, and the Town of Batavia desires to supply water to the properties within said District as retail customers, and

WHEREAS, a proposed Retail Water Supply Agreement has been drafted, reviewed and approved by the respective Attorneys for both Towns.

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Batavia, New York, that the Supervisor is hereby authorized and directed on behalf of the Town of Batavia to execute a proposed "Towns of Batavia and Alexander Retail Water Supply Agreement", a copy of which is annexed and made part of the minutes of the Town Board, and be it

FURTHER RESOLVED that the sale of water to the residents of the Town of Alexander Pike Road Water District No. 3 in the Town of Alexander will not at this time reduce the supply of the Town of Batavia water so as to render the same insufficient to service all water districts within the Town of Batavia for the residents located therein, and be it

FURTHER RESOLVED that upon the completion of the execution of the aforesaid "Towns of Batavia and Alexander Retail Water Supply Agreement", employees of the Town are hereby authorized and directed to take all steps necessary to provide water service to said Town of Alexander Pike Road Water District No. 3, and to effectuate all other terms and conditions set forth in said Agreement.

Second by: Councilwoman Michalak
Ayes: Lang, Michalak, Underhill, Post
APPROVED by unanimous vote (4-0)

RESOLUTION NO. 84:

Deputy Supervisor Underhill offered the following:

WHEREAS, an office workstation is needed in the Supervisor/Bookkeeper's office; and

WHEREAS, funds are appropriated in the 2011 Town Budget under supervisor equipment; and

WHEREAS, Office by Design, Incorporated presented a Workstation design and quote from New York State Contract numbers PC#63385 (attached).

NOW, THEREFORE, BE IT

RESOLVED, the Batavia Town Board hereby authorizes the purchase of an office workstation for the Supervisor/Bookkeeper's office at a cost not to exceed \$2,400.00; and be it further

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RESOLVED, the expenditure will be appropriated from line item A1220.200.

Second by: Councilman Lang
Ayes: Underhill, Lang, Michalak, Post
APPROVED by unanimous vote (4-0)

RESOLUTION NO. 85:

Supervisor Post offered the following:

**MEMORANDUM OF UNDERSTANDING BETWEEN
THE TOWN OF BATAVIA AND
NYS OFFICE OF REAL PROPERTY SERVICES**

RESOLVED, the Batavia Town Board hereby authorizes the Supervisor to execute the attached Memorandum of Understanding between the Town of Batavia and New York State Office of Real Property Services to clarify and outline the roles and responsibilities of each said party in the reassessment process.

Second by: Deputy Supervisor Underhill
Ayes: Post, Underhill, Michalak, Lang
APPROVED by unanimous vote (4-0)

RESOLUTION NO. 86:

Councilwoman Michalak offered the following:

**RESOLUTION TO APPROVE AMENDED AGREEMENT
FOR DEVELOPMENT OF RECREATIONAL FIELDS**

WHEREAS, the Town desires to increase the number and enhance the quality of recreational opportunities available to Town residents, and

WHEREAS, the Developers have proposed to build and maintain athletic fields in the Town of Batavia for use by Community Organizations and Non-Community Organizations, and

WHEREAS, the Town and the Developers previously entered into an Agreement on April 28, 2010 which ended on December 10, 2010, and

WHEREAS, the Town of Batavia Engineering Department prepared the 2010 Park Report which documented the benefits of the Sports Park. This report recommended that the Town Board consider extending the Sports Park agreement to continue to monitor the benefits to the community. The report also recommended improving the parking lots at the facility, and

WHEREAS, the Town of Batavia Engineering Department has prepared a drawing entitled

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“Batavia Sports Park 2011-2012 Plan”, dated March 3, 2011, (hereinafter referred to as “the Plan”), and

WHEREAS, the Developers asked to extend the agreement to a 2 year period to allow additional scheduling of events and to accommodate expansion of the facility by providing 3 additional full size soccer fields, and

WHEREAS, the parties desire to extend the prior Agreement until December 31, 2012, with some additional terms and conditions, in order to obtain additional information and to monitor the activities of the Park.

WHEREAS, the Town desires to continue to investigate the feasibility of the Sports Park for recreational development and is committing money and “in kind” services as set forth in a proposed Amended Agreement for the purpose of monitoring and obtaining information and documentation about the needs and benefits of activities and programs. The Town of Batavia Engineering Department will prepare a report in December of each year to document the revenue generated from the Park and provide actual statistics necessary for the Town Board to determine if this program should be continued at this location in the Town of Batavia.

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Batavia, New York, that the proposed “Amended Agreement for Development of Recreational Fields”, a copy of which is annexed and made part of the Town Board Minutes, is hereby approved, and the Town Supervisor is hereby authorized and directed to execute this Amended Agreement on behalf of the Town of Batavia, and

BE IT FURTHER RESOLVED that funds in the amount of \$58,687.00, as set forth in the aforesaid Amended Agreement, is hereby authorized to be expended from line item A6460.410, and

BE IT FURTHER RESOLVED that approval to provide “in kind” labor by Town employees, as well as material and equipment, that will not exceed the sum of \$31,376.00, as calculated by the Assistant Town Engineer, is hereby authorized to be expended as proposed in the aforesaid Amended Agreement.

Second by: Deputy Supervisor Underhill

Ayes: Michalak, Underhill, Lang, Post

APPROVED by unanimous vote (4-0)

Discussion- The Supervisor complimented Councilman Gerace and Councilwoman Michalak on the extraordinary job they have done on expanding this project. It has been very good for the Town.

RESOLUTION NO. 87:

Councilwoman Lang offered the following:

TOWN OF BATAVIA
BATAVIA SPORTS PARK
SEQR RESOLUTION

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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 (NYSCR) of a project to establish the Batavia Sports Park located at 8068 Bank Street Road in the Town of Batavia. The proposed sports park is a pilot project which includes the creation of sports fields including a driveway, parking lots and associated infrastructure improvements. The concept plan for the Park was prepared in 2010 by the Town of Batavia Engineering Department.

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 consulted with the Town of Batavia Engineering Department and reviewed the potential environmental impacts of the above-listed action. The Town Board hereby accepts the environmental assessment of the proposed project. 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, Post
APPROVED by unanimous vote (4-0)

RESOLUTION NO. 88:

Deputy Supervisor Underhill offered the following:

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

WHEREAS, the Town has 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 was \$1,000.00; and

WHEREAS, additional requirements to the PED have since been required from Rural Development which result in an increase in scope of work and as such, Stuart I. Brown Associates has requested an amendment to their contract in the amount of \$350.00.

NOW, THEREFORE, BE IT RESOLVED, the Batavia Town Board hereby authorizes the Supervisor to amend Stuart I. Brown Associates contract for the preparation of the Pre-Eligibility Determination (PED) for submission to Rural Development at an additional cost not to exceed three

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hundred fifty dollars (\$350.00).

Second by: Councilman Lang
Ayes: Underhill, Lang, Michalak, Post
APPROVED by unanimous vote (4-0)

RESOLUTION NO. 89:

Supervisor Post offered the following:

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

WHEREAS, the Town has 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 Creek Road; and

WHEREAS, the cost to prepare the PED's was \$1,000.00; and

WHEREAS, additional requirements to the PED have since been required from Rural Development which result in an increase in scope of work and as such, Stuart I. Brown Associates has requested an amendment to their contract in the amount of \$350.00.

NOW, THEREFORE, BE IT RESOLVED, the Batavia Town Board hereby authorizes the Supervisor to amend Stuart I. Brown Associates contract for the preparation of the Pre-Eligibility Determination (PED) for submission to Rural Development at an additional cost not to exceed three hundred fifty dollars (\$350.00).

Second by: Deputy Supervisor Underhill
Ayes: Post, Underhill, Michalak, Lang
APPROVED by unanimous vote (4-0)

RESOLUTION NO. 90:

Councilwoman Michalak offered the following:

**AMENDMENT OF SERVICES AGREEMENT –
BETWEEN THE TOWN OF BATAVIA AND STUART I. BROWN ASSOCIATES
RURAL DEVELOPMENT PRE-ELIGIBILITY DETERMINATION-BATAVIA
NORTH (East and West of NYS Route 98)**

WHEREAS, the Town has 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

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along Batavia North (east and west of NYS Route 98); and

WHEREAS, the cost to prepare the PED's was \$1,000.00 each; and

WHEREAS, additional requirements to the PED have since been required from Rural Development which result in an increase in scope of work and as such, Stuart I. Brown Associates has requested an amendment to their contract in the amount of \$350.00.

NOW, THEREFORE, BE IT RESOLVED, the Batavia Town Board hereby authorizes the Supervisor to amend Stuart I. Brown Associates contract for the preparation of the Pre-Eligibility Determination (PED) for submission to Rural Development at an additional cost not to exceed three hundred fifty dollars (\$350.00).

Second by: Deputy Supervisor Underhill

Ayes: Michalak, Underhill, Lang, Post

APPROVED by unanimous vote (4-0)

RESOLUTION NO. 91:

Councilman Lang offered the following:

**NAMING OF STREET LOCATED IN GENESEE COUNTY ECONOMIC DEVELOPMENT
CENTER'S AGRIBUSINESS PARK
AGPARK DRIVE**

WHEREAS, pursuant to Town Law, the Town Board has the responsibility of naming streets;
and

WHEREAS, the Genesee County Economic Development Center has requested the road be named "AgPark Drive" both for the north/south and east/west portions.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Town Law, the Batavia Town Board hereby names the roadway within the Genesee Agri-Business Park, "AgPark Drive"; and be it

FURTHER RESOLVED, that the Batavia Town Clerk is hereby directed to notify the Assessor, Planning Board, Genesee County Clerk, Genesee County Engineer, Genesee County Emergency Management Services, Genesee County Sheriff's Department, Town of Batavia Fire Department, and the Batavia Post Office of this road name within ten days of this adoption.

Second by: Deputy Supervisor Underhill

Ayes: Lang, Underhill, Michalak, Post

APPROVED by unanimous vote (4-0)

Discussion- Supervisor Post expressed that he is proud to be a part of this and welcomes our business enterprise. The Ag-Park has its first addressee.

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RESOLUTION NO. 92:

Deputy Supervisor Underhill offered the following:

**RESOLUTION SUPPORTING THE GENESEE COUNTY ECONOMIC
DEVELOPMENT CENTER (GCEDC)/GENESEE GATEWAY LOCAL
DEVELOPMENT CORPORATION (GGLDC) FOREIGN TRADE ZONE
DESIGNATION APPLICATION TO THE UNITED STATES DEPARTMENT OF
COMMERCE FOREIGN-TRADE ZONES BOARD**

WHEREAS, the Foreign Trade Zone Program (FTZ) is a federal program intended to give businesses a greater flexibility in the customs process of their international competitiveness, thereby encouraging and stimulating commercial and industrial operations in the United States that would otherwise have been conducted abroad for customs reasons; and

WHEREAS, the Genesee County Economic Development Center (GCEDC)/Genesee Gateway Local Development Corporation (GGLDC) was similarly chartered to "promote and provide for additional and maximum employment . . . and maintain job opportunities, and lessen the burden of government and act in the public interest" and to "foster the creation, retention and expansion of jobs and economic opportunities" for the benefit of the local economies, Genesee County, and New York State; and

WHEREAS, GCEDC/GGLDC determined that an FTZ is necessary to further its chartered purposes and can be feasibly established and operated to this end.

NOW, THEREFORE, BE IT

RESOLVED, the Batavia Town Board hereby supports GCEDC/GGLDC Foreign Trade Designation application; and be it

FURTHER RESOLVED, hereby authorizes the Supervisor to send a letter of support to the United States Department of Commerce Foreign-Trade Zones Board (letter attached).

Second by: Councilman Lang

Ayes: Underhill, Lang, Michalak, Post

APPROVED by unanimous vote (4-0)

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

Ayes: Underhill, Lang, Michalak, Post

MOTION CARRIED by unanimous vote (4-0)

RESOLUTION NO. 93:

Supervisor Post offered the following:

WILLIAMSON LAW BOOK MAINTENANCE AGREEMENT

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ACCOUNTING SOFTWARE

RESOLVED, the Batavia Town Board hereby authorizes the Supervisor to execute the annual renewal Accounting Software Maintenance Agreement between the Town of Batavia and Williamson Law Book at a cost of eight hundred, twenty-five dollars for one (1) year, from May 1, 2011 to April 30, 2012.

Second by: Councilman Lang
Ayes: Post, Lang, Underhill, Michalak
APPROVED by unanimous vote (4-0)

RESOLUTION NO. 94:

Councilwoman Michalak offered the following:

**INCREASE HOURS – TEMPORARILY
COURT CLERK**

RESOLVED, the Batavia Town Board hereby authorizes the Melissa Lepsch, as the part-time Court Clerk to temporarily work up to 20 additional hours per week, to assist with the back log of work, effective immediately until July 20, 2011.

Second by: Deputy Supervisor Underhill
Ayes: Michalak, Underhill, Lang, Post
APPROVED by unanimous vote (4-0)

Abstract No. 4-2011: Motion Deputy Supervisor Underhill, second Councilman Lang to authorize the Supervisor to pay the following vouchers:

General	\$ 159,567.99
Highway	25,994.89
Sewer No. 1	21,992.63
Sewer No. 2	19,452.30
Water	223,871.04
Pearl	1,335.45
Wilkinson	371.19
Alexander/Pike	-7,308.36
Rose	-1,579.60
Wortendyke	99,205.85
Total	\$542,903.38

Check numbers 15806 thru 15890, ACH- \$5,037.50, Online-\$1,265.21

Ayes: Underhill, Lang, Michalak, Post
MOTION CARRIED by unanimous vote (4-0)

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DEPARTMENT REPORTS:

The Supervisor reported on the following:

Highway –The Highway Department has been busy checking and cleaning culvert pipes and assisting in flooded areas.

Water/Wastewater- The Sewer Improvement project is finishing the final components for completion. The Wortendyke Water Project is 80% complete.

Planning/Zoning- Working on processing applications and streamlining Code Enforcement.

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 .22% and .30%.

GAM- Next GAM Meeting will be at tomorrow evening at Linda's Family Diner in Corfu, hosted by the Town of Pembroke at 7:00 P.M. Town Clerk Morasco and Councilwoman Michalak will be attending.

HIGHWAY SCHOOL- Motion Deputy Supervisor Underhill, second Councilwoman Michalak authorizing the Highway Superintendent to attend the Highway School in Ithaca, New York, June 6 through June 8, 2011 at an approximate cost of \$368.00, which includes conference, lodging and meals.

Ayes: Underhill, Michalak, Lang, Post

MOTION CARRIED by unanimous vote (4-0)

ANNUAL TOWN FINANCE SCHOOL- Motion Councilman Lang, second Deputy Supervisor Underhill authorizing the Secretary to the Supervisor, Councilwoman Michalak, Councilman Gerace, and the Bookkeeper to attend the Annual Town Finance School May 5-6, 2011 in Rochester at a cost of \$200.00. The 2009 Town Jeep will be used for the conference.

Ayes: Lang, Underhill, Michalak, Post

MOTION CARRIED by unanimous vote (4-0)

UNITED WAY DAY OF CARING: Motion Deputy Supervisor Underhill, second Councilman Lang authorizing a team of five employees (Hiedi Librock, Teresa Morasco, Steve Mountain, Sandy Baubie and Jason Armbrewster) from the Town of Batavia to participate in the United Way Day of Caring, Wednesday, May 18, 2011.

Ayes: Underhill, Lang, Michalak, Post

MOTION CARRIED by unanimous vote (4-0)

PARK ROAD HOSPITALITY, INC. (CLARION HOTEL) WAIVER LETTER – Motion Councilman Lang, second Deputy Supervisor Underhill that the Batavia Town Board has no objections to the Town Clerk issuing a waiver letter to Park Road Hospitality, Incorporated (Clarion Hotel), 8250 Park Road Batavia, for the 30 day required advance notice for applying for a New York State Liquor License Renewal. Said license expires 4-30-2011.

Ayes: Lang, Underhill, Michalak, Post

MOTION CARRIED by unanimous vote (4-0)

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PURCHASE OF ZONING & PLANNING TRAINING CD'S- Motion Deputy Supervisor Underhill, second Councilman Lang authorizing the purchase of training CD's entitled, "Introduction to the Zoning Board of Adjustment" and "Introduction to the Planning Commission (Parts 1 & 2)", from American Planning Association (www.planning.org) at a cost of approximately \$500.00, to benefit Planning and Zoning personnel for continuing education credits.

Ayes: Underhill, Lang, Michalak, Post

MOTION CARRIED by unanimous vote (4-0)

COMMUNICATIONS:

The Town Clerk reported on the following:

March Town Clerk monthly report collected a total of \$12,878.58 remitted \$12,686.02, to the Supervisor for the Local Share.

March Tax Collection Report collected a total of \$167,685.08, remitted \$164,503.54 to the County and the remainder to the Town Supervisor for Penalties collected.

Alpina Foods Public Hearing- GCEDC will be conducting a public hearing at the Batavia Town Hall on Tuesday, May 3, 2011 at 4:00 P.M. on the application of Alpina Foods LLC

GCC Special Event- GCC will be having a special event on Wednesday, April 27 at 1:00 P.M., "The Economic Impact of Genesee Community College", presented by Dr. Kjell A. Christophersen of Economic Modeling Specialists, Inc. A synopsis of the event will also be offered to the Genesee County Legislature at 6:00 P.M. that evening.

Alexander Recreation Report- Received the 2010 Recreation Report for the Town of Alexander.

COMMITTEE REPORTS:

ADJOURNMENT:

Motion Deputy Supervisor Underhill, second Councilman Lang to adjourn the Regular Town Board Meeting at 7:51 P.M.

Ayes: Underhill, Lang, Michalak, Gerace, Post

MOTION CARRIED by unanimous vote (4-0)

Respectfully submitted,

Teressa M. Morasco
Town Clerk