

**APRIL 4, 2012
SPECIAL TOWN BOARD MEETING**

Town Hall

5:00 P.M.

Dan Underhill, Deputy Supervisor 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

The Supervisor called the meeting to order at 5:03P.M.

RESOLUTION NO. 88:

Supervisor Post offered the following:

**RESOLUTION TO INTRODUCE PROPOSED LOCAL LAW #1 of 2012
AND TO SCHEDULE A PUBLIC HEARING**

WHEREAS, the Town Board of the Town of Batavia, New York desires to consider adopting legislation to enact administrative changes to the Code of the Town of Batavia.

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Batavia, New York that proposed Local Law #1 of 2012 entitled "A Local Law to Amend the Town Code Regarding Requirements and Mandates to Connect to Public Sewers", 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 April 18, 2012, and that a public hearing be held on the 18th day of April, 2012, at 6:50 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 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 (10) ten 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

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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: Councilwoman Michalak

Ayes: Post, Michalak, Gerace, Lang, Underhill

APPROVED by unanimous vote (5-0)

Discussion-Councilman Gerace questioned the connection change and distance requirement. A brief discussion was held regarding the amendment.

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 4th day of April, 2012, proposed Local Law #1 of 2012 entitled "A Local Law to Amend the Town Code Regarding Requirements and Mandates to Connect to Public Sewers". Said Local Law proposes to amend portions of Chapter 191-6 of the Code of the Town of Batavia, designated as "Sewer Use", as summarized as follows:

Connection to the public sanitary sewer system in either an existing or newly formed sewer district will now be voluntary, and will no longer be required, unless the public sewer is within 100 feet, and connection is mandated by either the Genesee County Health Department or the New York State Department of Environmental Conservation.

PLEASE TAKE FURTHER NOTICE that on the 18th day of April, 2012, at 6:50 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.

PLEASE TAKE FURTHER NOTICE that this Notice represents only a summary of the proposed amendments to the Code of the Town of Batavia. A complete copy of the 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 public inspection during regular office hours.

Dated: Batavia, New York
April 4, 2012

Teresa M. Morasco, Town Clerk

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Town of Batavia, New York

ADJOURNMENT:

Motion Supervisor Post, second Councilman Gerace to adjourn the Special Town Board Meeting at 5:16 P.M.

Ayes: Gerace, Michalak, Lang, Underhill, Post

MOTION CARRIED by unanimous vote (5-0)

Respectfully submitted,

Teressa M. Morasco
Town Clerk