

**APRIL 18, 2012
REGULAR TOWN BOARD MEETING**

Town Hall

7:00 P.M.

Greg Post, Supervisor led the pledge to the flag.

Roll Call

Present: Supervisor Post
Deputy Supervisor Underhill
Councilman Lang
Councilwoman Michalak

Others

Present: Town Clerk Morasco

The Supervisor called the meeting to order at 8:17 P.M.

March 21, 2012 Public Hearing-Establishment of West Main Sewer District, March 21, 2012 Regular Town Board Meeting and April 4, 2012 Special 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. 89:

Councilman Lang offered the following:

RESOLUTION ADOPTING LOCAL LAW #1 of 2012

WHEREAS, proposed Local Law #1 of 2012 of the Town of Batavia entitled “A Local Law to Amend the Town Code Regarding Requirements and Mandates to Connect to Public Sewers”, which proposed Local Law in its final form was presented to the Town Board at the meeting held on April 4, 2012, 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 April 18, 2012, 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 #1 of 2012 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 #1 of 2012, 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

APRIL 18, 2012
REGULAR TOWN BOARD MEETING

BE IT FURTHER RESOLVED, that certified copies of said Local Law #1 of 2012 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 #1 of 2012 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: Deputy Supervisor Underhill

Ayes: Lang, Underhill, Michalak, Post

APPROVED by unanimous vote (4-0)

RESOLUTION NO. 90:

Deputy Supervisor Underhill offered the following:

RESOLUTION TO ENTER INTO A CONTRACT WITH MERCY FLIGHT

WHEREAS, Mercy Flight, Inc. d/b/a Mercy EMS (hereinafter referred to as “Mercy Flight”), has been providing ambulance emergency services since 2009 to residents of Genesee County, including Town of Batavia residents, and

WHEREAS, Mercy Flight has requested that the Town of Batavia and other Towns in Genesee County enter into a Contract and a First Amendment to Contract that will be effective until August 31, 2014, and

WHEREAS, the Town Board has been satisfied with the services provide by Mercy Flight to the Town residents and finds that it would be in the best interest of Town residents for the Town Board to enter into a written contract with Mercy Flight.

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Batavia, New York, that a proposed “Contract Pre-Hospital Emergency Medical Service” and a “First Amendment to Contract Pre-Hospital Emergency Medical Service”, requiring Mercy Flight to provide ambulance and emergency services to Town residents pursuant thereto until August 31, 2014, are hereby approved, and the Town Supervisor is hereby authorized and directed to execute these documents on behalf of the Town of Batavia.

Second by: Councilman Lang

Ayes: Underhill, Lang, Michalak, Post

APPROVED by unanimous vote (4-0)

**APRIL 18, 2012
REGULAR TOWN BOARD MEETING**

RESOLUTION NO. 91:

Supervisor Post offered the following:

**RESOLUTION TO SCHEDULE A SPECIAL ELECTION
FOR A REFERENDUM REGARDING PROPOSED WEST MAIN STREET ROAD
SEWER DISTRICT IN THE TOWN OF BATAVIA, NEW YORK**

WHEREAS, a map, plan and report was filed in the Batavia Town Clerk's Office on February 14, 2012, describing the boundaries of the proposed Sewer District to be located upon portions of West Main Street and Kelsey Roads, and setting forth other requirements concerning the same, and

WHEREAS, a "Resolution and Order for Establishment of the West Main Street Road Sewer District For a Portion of the Town of Batavia, New York" was passed by the Town Board on March 21, 2012, subject to a permissive referendum, and

WHEREAS, a "Notice of Adoption of Resolution and Order for Establishment of the West Main Street Road Sewer District for a Portion of the Town of Batavia Subject to Permissive Referendum" was published in The Daily News within ten (10) days after adoption as required by law, and

WHEREAS, a Petition was filed with the Town on March 30, 2012, within the allowable time period for the same, and said Petition was subscribed and acknowledged by the owners of taxable real property situate in the proposed Sewer District, as shown upon the latest completed assessment roll for the Town of Batavia, in a number equal to at least five percent (5%) of the total number of such owners, requesting that the proposed establishment of the West Main Street Road Sewer District be submitted to the taxable real property owners within the proposed Sewer District at a Special Election for either their approval or disapproval thereof, and

WHEREAS, no written objection to said Petition has been filed with the Town Clerk within five (5) days after the filing of said Petition with the Town Clerk.

NOW, THEREFORE, BE IT RESOLVED, by the Town Board of the Town of Batavia, New York, that a Special Election to hold a Referendum on the establishment of the West Main Street Road Sewer District in the Town of Batavia shall be held at the Batavia Town Hall, located at 3383 West Main Street Road, Batavia, New York, on June 12, 2012, continuously between the hours of 12:00 Noon and 8:00 p.m. on said date to consider the following Proposition:

PROPOSITION

SHALL the Resolution, adopted March 21, 2012, by the Batavia Town Board establishing, subject to Permissive Referendum, the proposed West Main Street Road Sewer District located in the Town of Batavia, New York, upon those portions of West Main Street and Kelsey Roads as bounded and described in a map, plan and report filed in the Batavia Town Clerk's Office on February 14, 2012, pursuant to the terms and conditions

APRIL 18, 2012
REGULAR TOWN BOARD MEETING

as further set forth in said map, plan and report, with a maximum project cost not to exceed the sum of \$2,822,000.00, less \$1,600,000 of grant awards for a total sum not to exceed \$1,222,000.00; BE APPROVED?

BE IT FURTHER RESOLVED, that the following terms and conditions and eligibility requirements for said Special Election shall apply:

1. All owners of taxable real property located within the proposed West Main Street Road Sewer District, as shown upon the latest completed assessment roll of the Town of Batavia, are eligible to vote. All real property owners are responsible to verify their status on the assessment roll prior to the vote.
2. The Town of Batavia Assessor shall prepare a list of all of the owners described above, and provide the same to the Town Clerk, to be used by the Election Inspectors to monitor eligibility to vote at the Special Election.
3. All eligible voters must personally appear during the time and date designated. There will be no provisions for absentee ballots.
4. Each owner who is entitled to vote may cast only a single ballot, even if he/she/corporate owner owns more than one parcel within the proposed Sewer District.
5. Multiple owners of real property are each entitled to a single vote. (For example, a Husband and Wife who jointly own property or properties would be allowed to have the Husband cast one ballot and the Wife to cast one ballot.)
6. A corporate owner of such taxable real property shall be considered one owner and shall be entitled to one vote to be cast by an officer or agent of the corporation.
7. Individuals who reside within the proposed Sewer District who do not own property, (for example, renters and life use tenants), are not eligible to vote.
8. All eligible owners of taxable real property who meet the foregoing qualifications may vote regardless of the physical residence of the individuals or the principal place of business of a corporate entity.
9. Individuals who are eligible as set forth above, do not have to be registered voters with the Board of Elections in order to cast a ballot in this Special Election.
10. Approval of the proposed Sewer District or disapproval of the same shall be decided by the vote of the majority of the eligible owners who actually cast a ballot upon such Proposition at the Special Election.
11. The Town Clerk shall prepare paper ballots to be used by the voters at the Special Election.
12. The Town Board shall hire impartial Election Inspectors to monitor the voting process and to certify the Special Election results.

BE IT FURTHER RESOLVED, that the Town Clerk of the Town of Batavia is hereby authorized and directed to publish a copy of this Proposition, along with the times and dates of the Special Election and the terms thereof, in The Daily News and post copies of the same on the sign board of the Town of Batavia, in the time and manner required by law, at least ten (10) days prior to the Special Election date, and

BE IT FURTHER RESOLVED, that the Town Clerk of The Town of Batavia is hereby authorized and directed to prepare and file a certificate stating that a Petition was filed and a Referendum

APRIL 18, 2012
REGULAR TOWN BOARD MEETING

was held pursuant to the provisions of Section 209-e of the Town Law, and certifying the result of the vote on the Proposition at such Referendum, and this certification shall be recorded in the office of the Genesee County Clerk and filed with the office of the Department of Audit and Control.

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

RESOLUTION NO. 92:

Councilwoman Michalak offered the following:

**INTER-MUNCIPAL AGREEMENT
GENESEE COUNTY
RE-LEVIED DELINQUENT TAXES**

RESOLVED, that the Batavia Town Board hereby authorizes the Supervisor to execute the “Inter-Municipal Agreement” for reimbursement of re-levied delinquent taxes between Genesee County and the Town of Batavia (agreement attached).

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

RESOLUTION NO. 93:

Councilman Lang offered the following:

**SHARED SERVICES AGREEMENT
WITH BATAVIA CITY SCHOOL DISTRICT**

WHEREAS, the Highway Superintendent has requested that the Town of Batavia enter into a shared services agreement with the Batavia City School District for sharing equipment, materials and services for the mutual benefit of both parties.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Supervisor is hereby authorized and directed to execute the Shared Services Agreement with the Batavia City School District, 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.

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

**SHARED SERVICES AGREEMENT
FOR THE BATAVIA CITY SCHOOL DISTRICT.**

APRIL 18, 2012
REGULAR TOWN BOARD MEETING

1. For purposes of this contract, the following terms shall be defined as follows:

- a. "Municipality or District" shall mean any city, county, town or village or school district which has agreed to be bound by a contract for shared services or equipment similar in terms and effect with the contract set forth herein, and has filed a copy of said contract with their respective clerk.
- b. "Designated Filing Agent" shall mean the clerk of said municipality or school district.
- c. "Contract" shall mean the text of this agreement which is similar in terms and effect with comparable agreements, notwithstanding that such contract is signed only by the chief executive officer of each participating municipality or school district filing the same, and upon such filing each filing municipality or district accepts the terms of the contract to the same degree and effect as if each chief executive officer had signed each individual contract.
- d. "Shared Service" shall mean any service provided by one municipality or district for another that is consistent with the purposes and intent of this contract and shall include but not limited be to:
 - i. The renting, exchanging or lending of machinery, tools and equipment, with or without operators;
 - ii The providing of a specific service;
 - iii The maintenance of machinery or equipment.
- e. "Superintendent" shall mean, in the case of a city, the head of the department of public works; in the case of a county, the county superintendent of highways, or the person having the power and authority to perform the duties generally performed by county superintendent of highways; in the case of a town, the town superintendent of highways and/or superintendent of public works; in the case of a village, the superintendent of public works, in the case of a school district the director of the buildings and grounds department.

2. The Town of Batavia has caused this agreement to be executed and to bind itself to the terms of this contract and it will consider this contract to be applicable to any municipality or school district which has approved a similar contract and filed such contract with the Town of Batavia Clerk.

3. The Town of Batavia by this agreement grants unto the superintendent, the authority to enter into any shared service arrangements with any other municipality or school district subject to the following terms and conditions:

- a. The Town of Batavia agrees to rent or exchange or borrow from any municipality or school district any and all materials, machinery, and equipment, with or without operators, which it may need for the purposes of the Town. The determination as to whether such machinery, with or without operators, is needed by the Town, shall be made by the superintendent. The value of the materials or supplies borrowed

APRIL 18, 2012
REGULAR TOWN BOARD MEETING

from another municipality or school district under this agreement may be returned in the form of similar types and amounts of materials or supplies, or by the supply of equipment or the giving of services of an equal value, to be determined by the mutual agreement of the respective superintendents.

b. The Town of Batavia agrees to rent, exchange or lend to any municipality or school district any and all materials, machinery, and equipment, with or without operators, which such municipality may need for its purposes. The determination as to whether such machinery, with or without operators, or material is available for renting, exchanging or lending shall be made by the superintendent. In the event the superintendent determines that it will be in the best interests of the Town to lend to another municipality or school district, the superintendent is hereby authorized to lend to another municipality or school district. The value of the materials or supplies loaned to another municipality under this agreement may be returned to the Town in the form of similar types and amounts of materials or supplies, or by the supply of equipment or the giving of services of an equal value, to be determined by the mutual agreement of the respective superintendents.

c. The Town of Batavia agrees to repair or maintain machinery or equipment for any municipality or school district under terms that may be agreed upon by the superintendent, upon such terms as may be determined by the superintendent.

d. An operator of equipment rented or loaned to another municipality or school district, when operating such equipment for the borrowing municipality, shall be subject to the direction, supervision and control of the superintendent of the borrowing municipality or school district in relation to the manner in which the work is to be completed. However, the method by which the machine is to be operated shall be determined by the operator.

e. When receiving the services of an operator with a machine or equipment, the receiving superintendent shall make no request of any operator which would be inconsistent with any labor agreement. All machinery and the operator, for purposes of worker's compensation, liability and any other relationship with third parties, shall be considered the machinery of, and the employee of, the municipality or school district owning the machinery and equipment.

f. The lending municipality or school district shall be liable for any negligent or otherwise wrongful acts of its employees including but not limited to those resulting from the operation of its machinery or equipment by its own operator. In addition, the lending municipality or school district agrees to defend, indemnify and hold harmless the borrowing municipality or school district for all claims, damages, suits penalties, fines and liabilities for injury or death to persons, or loss or damage to property, arising out of the use and operation of equipment by the lending municipality's or school district's operator of the alleged negligent, wrongful, reckless or culpable acts of lending municipality's or school district's employee(s).

g. Each municipality or school district shall remain fully responsible for its own employees, including, but not limited to, salary, benefits and worker's compensation.

4. In the event machinery or equipment being operated by an employee of the owning municipality or

APRIL 18, 2012
REGULAR TOWN BOARD MEETING

school district is damaged or otherwise in need of repair while working for another municipality or school district, the municipality or school district owning the machinery or equipment shall be responsible to make or pay for such repairs. In the event machinery or equipment is operated by an employee of the borrowing, receiving or renting municipality or school district, such municipality or school district shall be responsible for such repairs.

5. Any municipality or school district which is a party to this contract may revoke such contract by filing a notice of such revocation. Upon the revocation of such contract, any outstanding obligations shall be submitted within thirty days of such revocation.

6. Any action taken by the superintendent pursuant to the provisions of this contract shall be consistent with the duties of such official and expenditures incurred shall not exceed the amounts set forth in the Town budget for highway purposes.

7. If any provision of this contract is deemed to be invalid or inoperative for any reason, that part may be modified by the municipalities or school district which are party to this contract to the extent necessary to make it valid and operative, or if it cannot be modified, then severed, and the remainder of the contract shall continue in full force and effect as if the contract had been signed with the invalid portion so modified or eliminated.

8. This contract shall be reviewed each year by the Town Board and shall expire five years from the date of its signing by the Town Supervisor. The Town may extend or renew this contract at the termination thereof for another five year period.

9. Copies of this contract shall be sent to the clerk and the superintendent of each municipality or school district with which the superintendent anticipates engaging in shared services. No shared services shall be conducted by the superintendent except with the superintendent of a municipality or school district that has completed a shared services contract and has sent a copy thereof to the clerk of his or her municipality or school district and the superintendent.

IN WITNESS THEREOF, the said Town of Batavia has by order of the Town Board, caused these presents to be subscribed by the Town Supervisor, and the seal of the Town to be affixed and attested by the Clerk thereof, this _____ day of _____, 20__.

TOWN OF BATAVIA

By: _____
Town Supervisor

Attest: _____
Town Clerk

Attest: _____
Highway Superintendent

**APRIL 18, 2012
REGULAR TOWN BOARD MEETING**

BATAVIA CITY SCHOOL DISTRICT

By: _____
School District Superintendent

Attest: _____

Witness

Attest: _____
Director of Buildings and Grounds

RESOLUTION NO. 94:

Deputy Supervisor Underhill offered the following:

SURPLUS EQUIPMENT

WHEREAS, the Town of Batavia has determined that the following item(s) is no longer needed for Town use and that the following item should be sold at auction and deleted from inventory:

1. Two 8 ft. wide chip boxes
2. One 4 ft. wide wing plow system for a 4 ton dump truck
3. 2010 International Dump Truck – VIN #1HTWYAHT1AJ193782

NOW THEREFORE BE IT,

RESOLVED, the Batavia Town Board hereby authorizes the Highway Superintendent to surplus the items listed above and sell them at auction; and be it

FURTHER RESOLVED, the 2010 International Dump Truck must meet the reserve bid amount of \$160,000 in order to be sold at auction.

Second by: Councilman Lang

Ayes: Underhill, Lang, Michalak, Post

APPROVED by unanimous vote (4-0)

RESOLUTION NO. 95:

Supervisor Post offered the following:

**PURCHASE SNOW PLOW
FOR HIGHWAY PICK-UP TRUCK**

WHEREAS, the Town of Batavia Highway Department recently purchased a new 2012 pickup truck and it needs to have a snow plow installed, and

WHEREAS, the highway superintendent received 3 bids for the purchase of the plow and the lowest responsive bidder is Unicorn Specialties, LLC at four thousand, two hundred dollars (\$4,200).

NOW THEREFORE BE IT,

**APRIL 18, 2012
REGULAR TOWN BOARD MEETING**

RESOLVED, the Batavia Town Board hereby authorizes the Highway Superintendent to purchase a snow plow from Unicorn Specialties for four thousand, two hundred dollars (\$4,200) for the new 2012 pickup truck, and be it

FURTHER RESOLVED, the expenditure with be appropriated from line item DA5130.200.

Second by: Deputy Supervisor Underhill

Ayes: Post, Underhill, Michalak, Lang

APPROVED by unanimous vote (4-0)

RESOLUTION NO. 96:

Councilwoman Michalak offered the following:

**AUTHORIZATION TO ENTER INTO AGREEMENTS FOR THE IMPLEMENTATION OF A
COMMUNITY DEVELOPMENT BLOCK GRANT RECEIVED FROM THE NEW YORK
STATE HOUSING TRUST FUND CORPORATION**

WHEREAS, the Town of Batavia (“Town”) has received Federal grant assistance in the amount of one million dollars (\$1,000,000.00) (the “Grant”) from the New York State Housing Trust Fund Corporation (“HTFC”) represented by the New York State Office of Community Renewal (“OCR”) through the Community Development Block Grant (“CDBG”) Program (OCR Grant #83ED696-12) for the purpose of providing financing to assist Muller Quaker Dairy, LLC in establishing operations in the Genesee Agri-Business Park at in the Town of Batavia, New York; and

WHEREAS, a portion of the Grant proceeds is to be used to fund administrative and program delivery costs associated with the implementation of the Grant; and

WHEREAS, the Genesee Gateway Local Development Corporation (the “Corporation”) has the capacity to provide such financing and to administer the Grant in the best interests of the Town, and

WHEREAS, the Corporation is a not-for-profit corporation eligible to receive grants of CDBG funds pursuant to Section 105(a)(15) of the Housing and Community Development Act of 1974, as amended (42 U.S.C. §5305),

NOW, THEREFORE BE IT

RESOLVED, that the Batavia Town Board hereby authorizes the Supervisor to execute the agreement between HTFC and the Town evidencing the Grant and all forms and documents related thereto, and be it further

RESOLVED, that the Town hereby authorizes the Supervisor to enter into an agreement with the Corporation for implementation and administration of the Grant under terms and conditions subject to review and approval by the Town Attorney, and be it further

APRIL 18, 2012
REGULAR TOWN BOARD MEETING

RESOLVED, that the Town Supervisor is hereby designated as the Town's Certifying Officer for all environmental review decisions made pursuant to the National Environmental Policy Act of 1969, as amended for all existing and future CDBG grants received by the Town.

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

RESOLUTION NO. 97:

Councilman Lang 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, 2012 to May 14, 2015, reimbursing the Town in the amount of fourteen thousand dollars per year for 3 years for a total of forty two thousand dollars (\$42,000.00). (documentation attached).

NOW THEREFORE BE IT,

RESOLVED, the Batavia Town Board hereby authorizes the Supervisor to execute the contact between the NYSDEC and the Town of Batavia, the Town providing the aforementioned service for the NYSDEC at a cost of fourteen thousand dollars per year for 3 years for a total of forty two thousand dollars (\$42,000.00).

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

RESOLUTION NO. 98:

Deputy Supervisor Underhill offered the following:

**EXTENSION OF SERVICES AGREEMENT –
BETWEEN THE TOWN OF BATAVIA AND WENDEL DUCHSCHERER
(GEOGRAPHICAL INFORMATIONAL SYSTEM) GIS PROGRAMMING, MAINTENANCE
AND TRAINING**

WHEREAS, Wendel Duchscherer, continues with additional GIS services such as program and website additions, additional training and software/hardware support which allow the advancement of the

APRIL 18, 2012
REGULAR TOWN BOARD MEETING

Town's GIS needs; and

WHEREAS, Wendel Duscherer has prepared a proposal (attached) as requested by the Town for the following:

- TASK 1-Annual ArcGIS Web Map Site Maintenance (Lump Sum)
- TASK 2-GPS, Web Map Training and Support Services (Time and Expense)
- TASK 3-Web Map Upgrade (Lump Sum)

for a total fee of \$8,000; and

WHEREAS, the Town Engineer recommends approval of these services to continue the Town's advancement and fulfillment of its GIS needs; and

NOW, THEREFORE, BE IT RESOLVED, the Batavia Town Board hereby authorizes the Supervisor to extend the services of Wendel Duchscherer to assist the Town in the advancement of the Town's GIS system at a cost not to exceed \$8,000.

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

Abstract No. 4-2012: Motion Councilwoman Michalak, second Councilman Lang to authorize the Supervisor to pay the following vouchers:

General	\$82,589.30
Highway	236,345.94
Sewer No. 1	4,055.79
Sewer No. 2	6,141.92
Water	30,180.82
Creek Road	2,347.99
West Main/Wortendyke Sewer	630.37
Pratt Road	2,347.99
NE Route 98	2,348.00
Total	\$366,988.12

Check numbers 16825 thru 16908, 16910, 16911, Online-\$2,239.09, ACH- \$2,000.00

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

DEPARTMENT REPORTS:

The Supervisor reported for the following departments:

APRIL 18, 2012
REGULAR TOWN BOARD MEETING

Building Inspector report:

- Day to day building and zoning inspections remain steady and consistent
- Permits have increased substantially
- Project Wave remains steady, pouring footers and placing some forms for the precast walls. Security has placed temporary guard houses to control the site from trespassing and to ensure proper safety on the site
- Alpina Foods remain pouring the floor on the interior of building and completing the exterior portion of the structure
- Marktec sign was approved and is nearing a final C of O inspection
- All equipment is being utilized in the field and makes the process more efficient for completing all reports
- Zoning Violations remain steady and are being processed on a daily basis
- Plan review is taking place on several commercial and residential projects
- Many meetings have taken place to ensure a smooth and consistent process for all applicants
- The review of many sections of the Town Code are still being worked on for revisions
- Reviewing land separation documents and updating as needed
- Fire Inspections remain steady and will be consuming a lot of time through the next six months
- Working with Tom Lichtenthal and reviewing the Site Plan review sheets for updating
- Planning Board had a full agenda and have passed site plan approval for the new Perry Veterinary Clinic
- Several Land separations have taken place
- A public hearing has been set for Jonathan Lamb to place a multifamily dwelling unit on his property for the workers of his farm
- Closing out expired permits and processing permits daily
- Answering all calls, emails and inquiries in a timely manor

Highway:

Highway work is in progress. Working on drainage and paving

Water/Sewer:

Water Leak- Working on water leak in the area of Batavia-Stafford Townline Road and GCC.

Ag Park- Monitoring the Water Main at Ag Park

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%.

GAM- Next GAM Meeting is April 19 at the Town of Pembroke Town Hall, hosted by the Town of Pembroke at 7:00 P.M.

City/Town Joint Meeting- There will be a Joint City/Town Joint Meeting on Monday, April 23 at 7:00 P.M. at the City Hall to discuss the Consolidation Task Force Report. This is the first public informational meeting and attendance is encouraged.

APRIL 18, 2012
REGULAR TOWN BOARD MEETING

LIVABLE COMMUNITIES FORUM- Motion Deputy Supervisor Underhill, second by Councilwoman Michalak authorizing Clinton Worthington to attend the Livable Communities Forum on Thursday May 3, 2012 at GCC at a cost of \$12.00.

Ayes: Underhill, Michalak, Lang, Post

MOTION CARRIED by unanimous vote (4-0)

HIGHWAY SCHOOL- Motion Councilman Lang, seconded by Councilwoman Michalak authorizing the Highway Superintendent to attend the Highway School in Ithaca, New York, June 11 through June 13, 2012 at an approximate cost of \$436.00, which includes conference, lodging and meals.

Ayes: Lang, Michalak, Underhill, Post

MOTION CARRIED by unanimous vote (4-0)

GFLRPC SPRING WORKSHOP- Motion Deputy Supervisor Underhill, seconded by Councilman Lang authorizing Clinton Worthington and Bruce Gerould to attend the GFLRPC Spring Workshop, May 17 in Pittsford, New York at a cost of \$50.00 each. A Town Vehicle will be used.

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 \$42,490.83, remitted \$42,241.65 to the Supervisor for the Local Share.

March Tax Collector collections report collected a total of \$194,806.08, remitted \$4,093.21 to the Supervisor for penalties and \$190,712.87 to the Genesee County Treasurer. The unpaid taxes for the 2012 Town/County Tax Warrant have been returned to the Treasurer's office.

Presidential Primary will be held Tuesday, April 24 from 12:00 p.m. to 9:00 p.m.

Report of Examination- The Report of Examination was filed. The Town Board can authorize a written response to this report. If so, need a motion and this will get included in the legal Notice.

REPORT OF EXAMINATION RESPONSE- Motion was made by Supervisor Post, seconded by Deputy Supervisor Underhill to authorize the preparation of a written response to the Report of Examination prepared by the Office of the State Comptroller and file such response, when completed in the office of the Town Clerk as a public record not later than July 17, 2012.

Ayes: Post, Underhill, Michalak, Lang

MOTION CARRIED by unanimous vote (4-0)

NYS Town Clerk's Conference- I will be attending the NYS Town Clerk's Conference next coming week.

Sewer District I Improvements- Received notice from NYS Home & Community Renewal on the successful completion of the Town's NYS Community Development Block Grant-American Recovery and Reinvestment Act for Sewer District I Improvements

COMMITTEE REPORTS:

APRIL 18, 2012
REGULAR TOWN BOARD MEETING

The Supervisor reported that he received a resignation letter from Councilman John Gerace and he filed it with the Town Clerk. He expressed that it saddens him to lose a valuable Councilman.

ADJOURNMENT:

Motion Councilman Lang, second Councilwoman Michalak to adjourn the Regular Town Board Meeting at 8:45 P.M.

Ayes: Lang, Michalak, Underhill, Post

MOTION CARRIED by unanimous vote (4-0)

Respectfully submitted,

Teresa M. Morasco
Town Clerk