

**MARCH 18, 2009
REGULAR TOWN BOARD MEETING**

Town Hall

7:00 P.M.

Alfred 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
Building Inspector Worthington
Roger Muehlig, Daily News Reporter

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

February 25, 2009 Regular Town Board Meeting and March 4, 2009 Special Town Board Meeting:

Motion Councilman Lang, second Councilman Gerace to approve the minutes as written.

MOTION CARRIED by unanimous vote (5-0)

RESOLUTION NO. 57:

Councilman Lang offered the following:

**ORDER CALLING FOR A PUBLIC HEARING-
OFFICE OF COMMUNITY RENEWAL GRANT
COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS APPLICATION**

WHEREAS, the Batavia Town Board wishes to submit an application for an Office of Community Renewal grant to fund the Economic Development project to provide preferred equity and term loan financing for a new agri-business constructing a facility in the Town of Batavia; and

WHEREAS, a public hearing is required on the proposed application to fund the project.

NOW THEREFORE, BE IT

RESOLVED, the Batavia Town Board hereby calls for a Public Hearing whereat all interested persons shall be heard; and be it

FURTHER RESOLVED, that the Public Hearing will be held at the Batavia Town Hall, 3833 West Main Street Road, Batavia, New York at 5:00 o'clock P.M. on the 1st day of April, 2009; and be it

FURTHER RESOLVED, the Town Clerk is hereby directed to have published at least once in "The Daily News" at least ten (10) days before the date scheduled for Public Hearing, the Public Hearing Notice which is attached hereto.

MARCH 18, 2009
REGULAR TOWN BOARD MEETING

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

NOTICE OF PUBLIC HEARING
OFFICE OF COMMUNITY RENEWAL
GRANT PROGRAM

The Town of Batavia Board has scheduled a public hearing for the 1st day of April, 2009. The hearing will start at 5:00 p.m. and take place at the Batavia Town Hall, 3833 West Main Street Road, Batavia, NY 14020. Written comments are invited and will be accepted upon delivery to 3833 West Main Street Road, Batavia, NY 14020 prior to the Hearing. Eligible activities include: Economic Development. Residents are invited to attend the hearing and comment on the proposed application to fund the following project: Economic Development project to fund equipment purchases and working capital needs for a company constructing a facility in the Town of Batavia. For this purpose, \$350,000 in Office of Community Renewal CDBG funds are being requested for use in the purchase of equipment and for funding working capital needs of Genesee Valley Mushrooms, Inc. and will enable the company to employ 106 people at the new facility. Persons with disabilities who require special accommodations must notify the Town Clerk with a request for specific accommodations at least 48 hours prior to the Public Hearing.

RESOLUTION NO. 58:

Deputy Supervisor Underhill offered the following:

FIVE STAR BANK AUTHORIZED SIGNATURES-AMENDMENT

WHEREAS, the Supervisor recommended dual signatures for the General Checking and the Trust Agency Checking at Five Star Bank; and

WHEREAS, Resolution #63 of 2008, adopted March 5, granted signing powers for the aforementioned to Gregory Post, Daniel Underhill, John Gerace, and Teressa Morasco; and

WHEREAS, the Supervisor recommends amending the authorized signatures at Five Star Bank by adding Alfred Lang and Patti Michalak.

NOW, THEREFORE, BE IT

RESOLVED, the Batavia Town Board hereby concurs with the Supervisor to add Alfred Lang and Patti Michalak for signing powers on the General Checking and Trust Agency Checking Accounts.

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

RESOLUTION NO. 59:

Supervisor Post offered the following:

**MARCH 18, 2009
REGULAR TOWN BOARD MEETING**

ADOPTION OF AMENDED TRANSFER STATION PERMIT FEE SCHEDULE

WHEREAS, on March 19, 2008 the Batavia Town Board adopted a revised Transfer Station Permit Fee Schedule; and

WHEREAS, the Transfer Station Committee has advised the Town Board of new regulations and cost for disposing items such as fluorescent light tubes, televisions, monitors and printers; and

WHEREAS, the Highway Superintendent has presented to the Batavia Town Board a revised Transfer Station Permit Fee Schedule for the disposal of refuses and construction debris, in the Town of Batavia.

NOW, THEREFORE, BE IT

RESOLVED, the Batavia Town Board hereby adopts the revised Transfer Station Permit Fee Schedule (fee schedule attached).

Second by: Councilman Gerace

Ayes: Post, Gerace, Lang, Underhill, Michalak

APPROVED by unanimous vote (5-0)

Discussion: The Supervisor thanked the committee for their input.

TOWN OF BATAVIA RESIDENTS

RECYCLING AND REFUSE DISPOSAL

PERMITS FOR TRANSFER STATION:

The permits can be purchased at the Batavia Town Hall, Monday, Tuesday, Thursday, through Friday from 8:30 A.M. to 4:30 P.M., and Wednesday from 8:30 A.M. to 7:00 P.M.

HOURS TO USE TRANSFER STATION:

Wednesdays- 3:00 P.M. to 7:00 P.M.

Saturdays- 8:00 A.M. to 3:30 P.M.

RECYCLE	WHAT	HOW	DO NOT INCLUDE
GLASS	Food jars including home canning jars, beverage bottles	Remove caps and lids, rinse clean	Broken glass or light bulbs, window glass, mirror glass, etc.
MAGAZINES/ NEWSPAPER/ CARDBOARD	Clean, dry newspapers, inserts, comics, flyers & catalogs, cardboard	Place in brown paper grocery bags or tie with string (no wire)	Hard covered books

**MARCH 18, 2009
REGULAR TOWN BOARD MEETING**

PLASTICS	Frosted, colored & clear plastics with these symbols on or near the bottom 	Remove caps, drain and rinse	Plastic bags, wrap, caps, medicine bottles & toys
TIN & ALUMINUM CANS	Food or beverage aluminum & tin or metal cans	Remove caps, drain and rinse	Teflon coated cans with paper or plastic parts, aluminum foil/trays
METAL	Washers, dryers, stoves, pipes, lawn movers, **refrigerators/freezers, etc.	Put in appropriate place	Car or truck gas tanks

****Certification that the freon has been removed must be provided when disposing the refrigerator. (freon service – Contact a Heating & Refrigeration Vendor)**

**Page 2
Recycling and Refuse Disposal**

COST:

Bag \$1.75-per 30 gallon bag (1 punch)

Pick-up truck, dump truck or small trailer – Cost determined by length, width and height of bed of vehicle.

Construction/Demolition Refuse/Trash- \$35.00 per cubic yard

Single Item Costs- Window \$3.50 (2 punches), Monitor \$5.25 (3 punches), Printer \$5.25 (3 punches), Chair \$5.25 (3 punches), Mattress or Box Spring \$5.25 (3 punches), Toilet \$5.25 (3 punches), Sink \$5.25 (3 punches), Dresser \$7.00 (4 punches), Doors \$7.00 (4 punches), Television \$8.75 (5 punches), Rug \$10.50 (6 punches), Couch \$12.25 (7 punches), Car Tire \$1.75 (1 punch), Truck Tire \$5.25 (3 punches), Tractor Tire \$12.25 (7 punches), Microwave \$5.25 (3 punches)
Fluorescent Light Bulb up to 4' \$1.75 (1 punch), over 4' \$3.50 (2 punches)

WHAT IS DEMOLITION: Construction/Demolition is wood, insulation, siding, glass that does not recycle, water closets, bathtubs, bricks, blocks, etc.

WHAT IS REFUSE: Food waste, non-recyclable plastic, bed mattress, furniture, rugs, clothes

To calculate the cubic yard: multiply length x width x height ÷27

One Punch= \$1.75

Two Punches=\$3.50

Three Punches=\$5.25

MARCH 18, 2009
REGULAR TOWN BOARD MEETING

Four Punches=\$7.00
Five Punches=\$8.75
Six Punches=\$10.50
Seven Punches=\$12.25

RESOLUTION NO. 60:

Councilwoman Michalak offered the following:

TELECOMMUNICATIONS SYSTEM UPGRADE

WHEREAS, ReI-Comm, Incorporated installed the Telecommunications System in the Town Hall and Highway Facility in 2002; and

WHEREAS, ReI-Comm has submitted a proposal for an upgrade to the system in the amount of five thousand, nine hundred, fifty-eight dollars (\$5,958.00), which also includes battery backup equipment (proposal attached).

NOW, THEREFORE, BE IT

RESOLVED, the Batavia Town Board hereby authorizes the purchase of the Telecommunications System upgrade and Battery Backup Equipment from ReI Comm, Incorporated, in the amount of five thousand, nine hundred, fifty-eight dollars (\$5,958.00); and be it

FURTHER RESOLVED, the Supervisor is authorized to execute the necessary documents relating to this upgrade; and be it

FURTHER RESOLVED, the cost will be expended from budgetary line item A1620.200.

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

RESOLUTION NO. 61:

Councilman Gerace offered the following:

**RESOLUTION TO ACCEPT DEDICATION OF A PORTION OF
EDGEWOOD DRIVE IN THE McWETHY SUBDIVISION**

WHEREAS, the DVM Corporation, a domestic corporation with its principal place of business located at 4022 South Main Street Road, Batavia, New York 14020, has, after approval of the Town of Batavia Planning Board, filed a Subdivision Map in the Genesee County Clerk's Office, known as the McWethy Subdivision, and

WHEREAS, the Town of Batavia has previously accepted dedication of several roads in previously developed phases of the Subdivision, and

MARCH 18, 2009
REGULAR TOWN BOARD MEETING

WHEREAS, there is a portion of Edgewood Drive that inadvertently was not yet dedicated to the Town of Batavia, which lies between two portions of this roadway that have already been dedicated to the Town of Batavia, and

WHEREAS, the DVM Corporation has requested dedication of this portion of Edgewood Drive, and provided a proposed Warranty Deed with Full Covenant for this roadway area, and

WHEREAS, the Town of Batavia Highway Superintendent has made a recommendation to the Batavia Town Board to accept dedication of this portion of Edgewood Drive.

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Batavia, New York, that it hereby accepts dedication of the portion of Edgewood Drive as more fully described in a Warranty Deed from DVM Corporation to the Town of Batavia, a copy of which is annexed to and made part of the Town Board Minutes, and

BE IT FURTHER RESOLVED that the Town Supervisor is authorized and directed to execute all documents necessary to record this Warranty Deed in the Genesee County Clerk's Office, and the Town Clerk is authorized and directed to complete this recording process.

Second by: Deputy Supervisor Underhill

Ayes: Gerace, Underhill, Michalak, Lang, Post

APPROVED by unanimous vote (5-0)

RESOLUTION NO. 62:

Councilman Lang offered the following:

RESOLUTION AMENDING #169 OF 2008 ASSESSMENT BOARD OF REVIEW
EXPIRATION OF TERM

WHEREAS, Rhonda Saulsbury, 8795 Rollin Circle, Batavia, New York was appointed to the Assessment Board of Review on October 22, 2008; and

WHEREAS, the Assessment Board of Review term is a five year term; and

WHEREAS, the term expiration date was inadvertently entered and adopted as September 30, 2012.

NOW, THEREFORE, BE IT

RESOLVED, the Batavia Town Board hereby amends resolution #169 of 2008 for Rhonda Saulsbury's term on the Assessment Board of Review to expire on September 30, 2013 rather than on September 30, 2012.

Second by: Deputy Supervisor Underhill

Ayes: Lang, Underhill, Michalak, Gerace, Post

APPROVED by unanimous vote (5-0)

MARCH 18, 2009
REGULAR TOWN BOARD MEETING

RESOLUTION NO. 63:

Deputy Supervisor Underhill offered the following:

**RESOLUTION TO ACCEPT A PROPOSAL FOR ENGINEERING
SERVICES BETWEEN THE TOWN OF BATAVIA AND CLARK PATTERSON LEE**

WHEREAS, the Town of Batavia has been working in conjunction with Genesee County Economic Development Center (GCEDC) on a sanitary sewer capacity study for current and future development plans, and

WHEREAS, Clark Patterson Lee is assisting both the Town of Batavia and GCEDC, and

WHEREAS, Clark Patterson Lee has submitted a proposal for the flow metering portion of the project (attached) in the amount of \$49,200.00.

NOW, THEREFORE, be it resolved by the Town Board of the Town of Batavia, New York, that the Supervisor is hereby authorized to accept on behalf of the Town the attached Flow Metering Study Proposal for Engineering Services with Clark Patterson Lee for the amount of \$49,200.00; and be it

FURTHER RESOLVED, the cost will be expended from budgetary line item A6460.410.

Second by: Councilman Lang

Ayes: Underhill, Lang, Michalak, Gerace, Post

APPROVED by unanimous vote (5-0)

RESOLUTION NO. 64:

Supervisor Post offered the following:

**PROPOSAL OF SERVICES AGREEMENT –
BETWEEN THE TOWN OF BATAVIA AND STUART I. BROWN ASSOCIATES
RURAL DEVELOPMENT PRE-ELIGIBILITY DETERMINATION-
WEST MAIN SANITARY SEWER**

WHEREAS, the Town wishes to 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 sanitary sewer service to serve areas along West Main Street Road; and

WHEREAS, the cost to prepare the PED's is one thousand dollars (\$1,000) (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 Pre-Eligibility Determination (PED) for submission to Rural Development at a cost not to exceed one thousand dollars (\$1,000) and to execute an agreement between

MARCH 18, 2009
REGULAR TOWN BOARD MEETING

the Town of Batavia and Stuart I. Brown.

Second by: Deputy Supervisor Underhill

Ayes: Post, Underhill, Michalak, Gerace, Lang

APPROVED by unanimous vote (5-0)

RESOLUTION NO. 65:

Councilwoman Michalak offered the following:

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

WHEREAS, the Town wishes to 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 Wortendyke Road; and

WHEREAS, the cost to prepare the PED's is one thousand dollars (\$1,000) (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 Pre-Eligibility Determination (PED) for submission to Rural Development at a cost not to exceed one thousand dollars (\$1,000) and to execute an agreement between the Town of Batavia and Stuart I. Brown Associates.

Second by: Councilman Gerace

Ayes: Michalak, Gerace, Lang, Underhill, Post

APPROVED by unanimous vote (5-0)

RESOLUTION NO. 66:

Councilman Gerace offered the following:

**RESOLUTION TO APPROVE RENEWAL OF GALLOWAY LAND LEASE AGREEMENT
BETWEEN JOHN RILEY AND THE TOWN OF BATAVIA**

WHEREAS, John A. Riley has requested to re-new the land lease for the approximately 20 acres of land located within a parcel owned by the Town of Batavia, located at 3190 Galloway Road, and

NOW, THEREFORE, BE IT

RESOLVED by the Town Board of the Town of Batavia, New York that a proposed Land Lease Renewal Agreement by and between the Town of Batavia and John A. Riley, a copy of which is annexed and made part of the Town Board Minutes, is hereby approved and the Town Supervisor is authorized to execute this Land Lease Renewal Agreement on behalf of the Town of Batavia.

MARCH 18, 2009
REGULAR TOWN BOARD MEETING

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

LAND LEASE RENEWAL AGREEMENT

THIS AGREEMENT, made this _____ day of March, 2009 between the **TOWN OF BATAVIA, NEW YORK**, a municipal corporation with offices at 3833 West Main Street Road, Batavia, New York 14020, herein called the Lessor, and **JOHN A. RILEY**, residing at 2982 Galloway Road, Batavia, New York 14020, herein called the Lessee.

WITNESSETH

WHEREAS, the parties desire to enter into Renewal Agreement for the rental of a portion of property owned by the Lessor to be used for agricultural purposes,

NOW, THEREFORE, in consideration of the mutual covenants and agreements contained herein, it is agreed as follows:

1. The Lessor hereby Leases to the Lessee for agricultural purposes for the growing and harvesting of crops only, approximately 20 acres of land being part of an approximately 44 acre parcel located in the Town of Batavia at 3190 Galloway Road, Tax ID No. 2-1-8.2.
2. The nature of the crops to be grown shall be approved in advance by Lessor; with no further planting to take place upon the Leased premises.
3. This Lease shall become effective upon executing, and shall continue in force until December 31, 2009.
4. The terms of this Lease shall be binding on the heirs, personal representatives, successors, executors and administrators of both the Lessor and Lessee.
5. The Lessee shall neither assign this Lease to any persons, nor sublet any part of the real estate for any purpose without the written consent of Lessor.
6. The annual cash rent for this land which will be paid by the Lessee to the Lessor is \$600.00 (\$30 per acre) and is to be paid on or before execution of agreement.
7. The Lessee agrees to follow generally accepted good agricultural practices on the lands Leased.
8. The Lessee agrees to preserve established water courses, tile drains, tile outlets, diversion ditches, terraces and grass waterways and to refrain from any operation that will injure them.
9. The Lessor may terminate this Lease as to the entire acreage or as to any part thereof upon two weeks written notice to the Lessee. In such event, the Lessee is to be reimbursed, at Lessor's cost, for whatever expense Lessee has incurred in connection with any crop which may be planted on the acreage as to which the Lease has been terminated.
10. Lessee agrees that it will engage in no practice which would introduce environmentally hazardous products to the Leased acreage.
11. This Land Lease Agreement constitutes the entire agreement between the parties. Any notice under the terms of this Agreement must be sent in writing by United States mail, return receipt requested; and shall be deemed delivered three days following the date on which it is sent. This Agreement may be modified only in writing signed by both parties.

MARCH 18, 2009
REGULAR TOWN BOARD MEETING

12. Lessee hereby indemnifies and agrees to hold harmless Lessor from any and all costs, damage, expense, or liability arising out of Lessee's occupation and use of the Leased acreage pursuant to this Land Lease.

13. The Lessee shall secure and keep in full force and effect during the term of this Agreement liability insurance in an amount not less than \$1,000,000.00 per occurrence, with the Lessor to be named as an additional insured. This liability insurance shall be issued by a responsible insurer licensed to do business in the State of New York.

14. The Lessor or anyone designated by it shall have right of entry at any reasonable time to inspect their property and/or farming methods used.

15. The Lessee shall neither cut live trees nor market timber, fence posts or firewood. The Lessee will not have any above or below ground mineral or gas or oil rights.

TOWN OF BATAVIA

By: _____
Gregory H. Post, Town Supervisor

JOHN A. RILEY

STATE OF NEW YORK)
COUNTY OF GENESEE) ss:

On the ____ day of _____, in the year 2009, before me, the undersigned, a Notary Public in and for said State, personally appeared Gregory H. Post, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, or the person upon behalf of which the individual acted, executed the instrument.

Notary Public

STATE OF NEW YORK)
COUNTY OF GENESEE) ss:

On the ____ day of _____, in the year 2009, before me, the undersigned, a Notary Public in and for said State, personally appeared John A. Riley, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, or the person upon behalf of which the individual acted, executed the instrument.

Notary Public

RESOLUTION NO. 67:

Councilman Lang offered the following:

**CANON DR-5010C SCANNER MAINTENANCE AGREEMENT
BETWEEN BIEL'S AND THE TOWN OF BATAVIA**

MARCH 18, 2009
REGULAR TOWN BOARD MEETING

WHEREAS, the Town purchased a Canon DR-5010C Scanner in December 2008 for the records management archives grant; and

WHEREAS, Biels offers an annual maintenance agreement for this scanner at a cost of seven, hundred, fifty dollars (\$750.00) (agreement attached).

NOW, THEREFORE, BE IT

RESOLVED, the Batavia Town Board hereby authorizes the Supervisor to execute the annual Maintenance Agreement between the Town of Batavia and Biel's at a cost of seven hundred, fifty dollars for one (1) year starting March 19, 2009 to maintain the Canon DR-5010C Scanner.

Second by: Councilwoman Michalak

Ayes: Lang, Michalak, Gerace, Underhill, Post

APPROVED by unanimous vote (5-0)

RESOLUTION NO. 68:

Deputy Supervisor Underhill offered the following:

**RESOLUTION TO ACCEPT A PROPOSAL FOR IMPROVEMENTS
TO THE TOWN HALL**

WHEREAS, the Town of Batavia has identified improvements needed at the Town Hall to alleviate inefficiencies and improve safety and security, and

WHEREAS, the Town of Batavia received three proposals in response to requests for proposals, and

WHEREAS, the lowest proposal was submitted by Mucher Erectors for the sum of \$22,534.00 for the base proposal less deduct alternates No. 1 and No. 2, and

WHEREAS, Mucher Erectors has submitted a letter lowering their proposed price by \$2,584.00 to \$19,950.00 to be within the Town's budget for the requested work.

NOW, THEREFORE, BE IT

RESOLVED that the Town Board of the Town of Batavia, New York, hereby authorizes the Supervisor to execute on behalf of the Town an agreement with Mucher Erectors for the sum of \$19,950.00 subject to providing necessary insurance and the review and approval of the necessary insurance and agreement(s) by the Town Attorney.

Second by: Councilman Gerace

Ayes: Underhill, Gerace, Lang, Michalak, Post

APPROVED by unanimous vote (5-0)

MARCH 18, 2009
REGULAR TOWN BOARD MEETING

RESOLUTION NO. 69:

Supervisor Post offered the following:

**ADDITIONAL ENGINEERING SERVICES
IMPROVEMENTS TO SANITARY SEWER SYSTEM
WITHIN SEWER DISTRICT NO. I**

WHEREAS, Erdman Anthony was authorized on January 19, 2005 to provide engineering services required for making improvements to the Town's Sanitary Sewer System within Sewer District No. I at a cost of twenty-five thousand, nine hundred dollars (\$25,900.00); and

WHEREAS, the Batavia Town Board would like proposed improvements currently under design by Erdman Anthony to include provisions for replacement of sanitary sewers from Country Meadows MHP to the Byron Road pump station.

NOW, THEREFORE BE IT,

RESOLVED, the Batavia Town Board hereby authorizes the engineering firm, Erdman Anthony to provide the additional engineering services required for making improvements to the Town's Sanitary Sewer System within Sewer District No. I at an additional cost of eighteen thousand, twenty dollars (\$18,020.00) (proposal attached).

Second by: Councilwoman Michalak

Ayes: Post, Michalak, Gerace, Lang, Underhill

APPROVED by unanimous vote (5-0)

Abstract No. 3-2009: Motion Councilman Gerace, second Deputy Supervisor Underhill to authorize the Supervisor to pay the following vouchers:

General	\$94,142.99
Highway	9,392.81
Sewer No. 1	1,157.74
Sewer No. 2	1,005.95
Water	23,511.17
Alexander/Pike Water	133.00
Rose Water	<u>58.00</u>
TOTAL	\$129,401.66

Check numbers 13571 thru 13585, 13587 thru 13644, ACH \$3201.77

Ayes: Gerace, Underhill, Michalak, Lang, Post

MOTION CARRIED by unanimous vote (5-0)

DEPARTMENT REPORTS:

The Supervisor reported on the following for the Water/Sewer Department:

Shepard Road- Water Department completed a waterline road crossing on Shepard Road.

MARCH 18, 2009
REGULAR TOWN BOARD MEETING

Manholes- They are preparing manholes along the Route 5 Corridor and continuing the GIS and maintaining infrastructure.

Building Inspector reported on the following:

Batavia Downs Inspections- Received a call today to do an inspection at the Batavia Downs for the Jaycee's Home Show that is being hosted there this weekend. Currently there is an agreement in place with the City of Batavia and Genesee County. Since it is unclear as to whom to call for these inspections, Clint would like to schedule a meeting with the Town of Batavia Fire Chief, Town Supervisor and himself for clarification. The Supervisor directed the Building Inspector to coordinate a meeting regarding this matter.

Saile Drive-Residential/Business- A conceptual plan for a Residential /Business to be located close to the Genesee County Airport was brought to the Planning Board last evening. He will be consulting with the Town Attorney regarding this.

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 monies are invested in CD's and are paying a rate of .65%.

Work Sessions are held each Wednesday from 5:00 P.M. to 7:00 P.M.

Special Meeting- April 1st there will be a Public Hearing at 5:00 P.M. and Special Town Board meeting and work session to follow

GAM meeting is tomorrow evening at the LB Grand in LeRoy at 6:30 P.M.

2008 Annual Reassessment Aid-Received a letter from the Office of Real Property indicating that the Town will be receiving \$12,985.00 from the State for completing a reassessment for 2008. This is part of a six-year plan, which includes maintaining assessment at 100 percent of market value on a yearly basis.

COMPUTER LAPTOP PURCHASES: Motion Deputy Supervisor Underhill, second Councilman Lang authorizing the Supervisor to purchase two Dell Laptop Computers, (one for the Supervisor's Office and one for office use) with Microsoft Office Software at a cost not to exceed \$1,300.00 each.

Ayes: Underhill, Lang, Michalak, Gerace, Post

MOTION CARRIED by unanimous vote (5-0)

TELEPHONE LINES: Motion Deputy Supervisor Underhill, second Councilman Gerace authorizing two additional telephone lines to be added to the Town Hall telecommunication system, at a monthly cost from Verizon of approximately \$27.00 each.

Ayes: Underhill, Gerace, Lang, Michalak, Post

MOTION CARRIED by unanimous vote (5-0)

ANTI-VIRUS: Motion Councilman Gerace, second Deputy Supervisor Underhill authorizing the purchase of a two year subscription of ESET NOD32 Business Antivirus, 11-24 users at a cost not to exceed \$41.99 per user/subscription through Hurricane Technologies, Incorporated.

Ayes: Gerace, Underhill, Michalak, Lang, Post

MARCH 18, 2009
REGULAR TOWN BOARD MEETING

MOTION CARRIED by unanimous vote (5-0)

NETWORK FIREWALL PURCHASE: Motion Councilman Lang, second Deputy Supervisor Underhill authorizing the purchase of a Network Sonicwall Firewall, Total Secure TZ190 from Dell at a cost of approximately \$800.00.

Ayes: Lang, Underhill, Michalak, Gerace, Post

MOTION CARRIED by unanimous vote (5-0)

BJ'S MEMBERSHIP RENEWAL: Motion Deputy Supervisor Underhill, Councilman Lang authorizing the renewal of the BJ's membership for the Town at a cost of \$45.00/ year, with the Town Clerk as the primary member and Murray Morrow, Water/Wastewater Supervisor as the First Supplemental Member to make tax exempt purchases for the Town.

Ayes: Underhill, Lang, Michalak, Gerace, Post

MOTION CARRIED by unanimous vote (5-0)

ACCOUNTING SCHOOL: Motion Deputy Supervisor Underhill, second Councilman Lang authorizing the Bookkeeper to attend Basic Accounting School, which will be held at the City of Canandaigua, May 12 through May 14 and Advanced Accounting School, September 1 through September 3 at a cost of \$170.00 (\$85.00 each).

Ayes: Underhill, Lang, Michalak, Gerace, Post

MOTION CARRIED by unanimous vote (5-0)

NYS WATER WORKS CONFERENCE: Motion Deputy Supervisor Underhill, second Councilman Gerace authorizing the Town Engineer to attend the NYS American Water Works Association Conference April 21 through April 23 in Saratoga Springs at an estimated cost of \$780.00, which includes registration, lodging and mileage.

Ayes: Underhill, Gerace, Lang, Michalak, Post

MOTION CARRIED by unanimous vote (5-0)

WIRELESS HEADSET PURCHASE: Motion Councilman Gerace, second Councilwoman Michalak authorizing the purchase of two Plantronic Wireless Headsets for the Town Hall Offices at a cost of \$300.00 each.

Ayes: Gerace, Michalak, Lang, Underhill, Post

MOTION CARRIED by unanimous vote (5-0)

COMMITTEE REPORTS:

Transfer Station- Councilman Lang reported they just completed the review of the Transfer Station recycling and fee schedule. New fee schedule was adopted this evening.

Farmland Protection- Deputy Supervisor Underhill reported a meeting was held last Thursday and was attended by a few new individuals. They are making progress. The next public meeting will be held March 26 at 7:00 P.M. at the Town Hall.

Parks & Recreation- Councilman Gerace reported they are working on getting support from the City of Batavia School District and Genesee County for athlete fields.

MARCH 18, 2009
REGULAR TOWN BOARD MEETING

COMMUNICATIONS:

The Town Clerk reported on the following:

February Town Clerk monthly report collected a total of \$2,948.66 remitted \$2,754.85 to the Supervisor for the Local Share.

February Town/County Tax Collection –collected a total of \$168,315.03; remitted \$1,666.51 to the Supervisor and \$166,648.52 to the Genesee County Treasurer.

Training Workshops- Continuing to receive notices that there are various Planning and Zoning Training Workshops in the upcoming months. Details on these workshops have been distributed to the Boards.

Household Hazardous Waste Collection-GLOW Household Hazardous Waste Collection is going to be held May 9 in Rock Glen. Anyone interested in bring waste must make an appointment with GLOW. They will need to contact 344-2580 ext 5463.

Liquor License Renewal- Received notice from Holiday Inn that they have made application to NYS to renew their liquor license.

ADJOURNMENT:

Motion Deputy Supervisor Underhill, second Councilwoman Michalak to adjourn the Regular Town Board Meeting at 7:45 P.M.

Ayes: Underhill, Michalak, Gerace, Lang, Post

MOTION CARRIED by unanimous vote (5-0)

Respectfully submitted,

Teressa M. Morasco
Town Clerk