

**JANUARY 27, 2010  
SPECIAL TOWN BOARD MEETING**

**Town Hall**

**Immediately Following Public Hearing**

**Roll Call**

**Present:** Supervisor Post  
Deputy Supervisor Underhill  
Councilman Lang  
Councilman Michalak  
Councilman Gerace

**Others**

**Present:** Town Clerk Morasco  
Roger Muehlig, Daily News Reporter  
Jason & Linda Tomporowski

The Supervisor called the meeting to order at 5:58 P.M.

**RESOLUTION NO. 43:**

Councilman Lang offered the following:

**AUTHORIZATION TO SUBMIT A COMMUNITY DEVELOPMENT BLOCK GRANT TO  
THE NEW YORK STATE OFFICE OF COMMUNITY RENEWAL**

**WHEREAS**, First Wave Technologies, Inc. plans to open an office in the Dr. Bruce A. Holm Upstate MedTech Centre at 5080 Assemblyman R. Stephen Hawley Drive in the Town of Batavia, New York, and

**WHEREAS**, First Wave Technologies, Inc. requires financial support from the New York State Office of Community Renewal to finance part of the project, and

**WHEREAS**, the Office of Community Renewal has formally invited the Town of Batavia to submit a grant application in the amount of \$516,000.

**NOW, THEREFORE BE IT**

**RESOLVED**, that the Batavia Town Board hereby authorizes the Supervisor to submit a grant application in the amount of \$516,000 to the New York State Office of Community Renewal, and be it further

**RESOLVED**, that the Batavia Town Board authorizes the Supervisor to execute all other necessary documents associated with the Community Development Block Grant approval, subject to review by counsel, and be it further

**RESOLVED**, that the Batavia Town Board authorizes the Supervisor to serve as "Certifying Officer" for the purposes of assuring compliance with all federal environmental regulations and representing the Town of Batavia in any challenges to such compliance of the Community Development Block Grant.

**JANUARY 27, 2010  
SPECIAL TOWN BOARD MEETING**

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

**RESOLUTION NO. 44:**

Deputy Supervisor Underhill offered the following:

**ALEXANDER/ PIKE ROAD WATER  
FINAL PROJECT COMPLETION**

**WHEREAS,** Villager Construction has certified substantial completion of the Alexander/Pike Road Water Project (Certificate of Substantial Completion attached); and

**WHEREAS,** Clark Patterson Lee, P.C. has indicated the Water Main installation associated with the 2008 Water System Improvements has been completed in accordance with the plans and specifications for the Alexander/Pike Road Water Project. (letter attached); and

**WHEREAS,** the Town of Batavia has an operator(s) appropriately licensed by New York State to oversee operation of the Alexander/Pike Road Water Project.

**NOW, THEREFORE, BE IT**

**RESOLVED,** that the Batavia Town Board hereby accepts the Alexander/Pike Road Water Project as complete and authorizes final payment to the Contractor, contingent upon final restoration and inspection in the Spring of 2010.

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

**RESOLUTION NO. 45:**

Supervisor Post offered the following:

**ROSE ROAD WATER  
FINAL PROJECT COMPLETION**

**WHEREAS,** Villager Construction has certified substantial completion of the Rose Road Water Project (Certificate of Substantial Completion attached); and

**WHEREAS,** Clark Patterson Lee, P.C. has indicated the Water Main installation associated with the 2008 Water System Improvements has been completed in accordance with the plans and specifications for the Rose Road Water Project. (letter attached); and

**JANUARY 27, 2010**  
**SPECIAL TOWN BOARD MEETING**

**WHEREAS**, the Town of Batavia has an operator(s) appropriately licensed by New York State to oversee operation of the Rose Road Water Project.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Batavia Town Board hereby accepts the Rose Road Water Project as complete and authorizes final payment to the Contractor, contingent upon final restoration and inspection in the Spring of 2010.

**Second by:** Councilman Lang

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

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

**Discussion-** Councilman Gerace questioned how many more feet of waterline is needed to service the entire Town. The Supervisor stated that he is not sure exactly but we are closer than we were four years ago. The problems are the Townline Roads and lack of support from other Towns. This year we will probably have three more districts. We are trying to create them as fast as we can without any local share.

**ADJOURNMENT:**

Motion Deputy Supervisor Underhill, second Councilman Lang to adjourn the Special Town Board Meeting at 6:10 P.M.

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

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

Respectfully submitted,  
Teresa M. Morasco  
Town Clerk