

**NOVEMBER 17, 2010
REGULAR TOWN BOARD MEETING**

Town Hall

7:00 P.M.

Al Lang, Councilman led the pledge to the flag.

Roll Call

Present: Supervisor Post
Deputy Supervisor Underhill
Councilman Lang
Councilman Gerace

Absent: Councilwoman Michalak

Others

Present: Town Clerk Morasco
Roger Muehlig, Daily News Reporter
Erik Lang
Marty, JPS Corporation (Genesee Lounge-Travelodge)

The Supervisor called the meeting to order at 7:07 P.M.

October 20, 2010 Public Hearing-Establishment of Wortendyke and Pike Roads Water District:

Motion Councilman Gerace, second Deputy Supervisor Underhill to approve the minutes as written.

Ayes: Gerace, Underhill, Lang, Post

MOTION CARRIED by unanimous vote (4-0)

October 20, 2010 Regular Town Board Meeting: Motion Councilman Lang, second Councilman

Gerace to approve the minutes as written.

Ayes: Lang, Gerace, Underhill, Post

MOTION CARRIED by unanimous vote (4-0)

November 3, 2010 Public Hearing-2011 Town Budget, November 3, 2010 Public Hearing-2011

Sewer Rents, and November 3, 2010 Public Hearing-2011 Water Rates: Motion Councilman Lang,

second Councilman Gerace to approve the minutes as written.

Ayes: Lang, Gerace, Underhill, Post

MOTION CARRIED by unanimous vote (4-0)

RESOLUTION NO. 148:

Councilman Lang offered the following:

ADOPTION OF 2011 TOWN ANNUAL BUDGET

WHEREAS, the Town of Batavia Chief Fiscal Officer prepared a Tentative Budget for review by the Batavia Town Board, and

WHEREAS, the Town Board met in Budget sessions among themselves and with Town Employees in the formulation of the Preliminary Budget, after which a Public Hearing was held on November 3, 2010 for all interested parties to be heard.

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RESOLVED, the Batavia Town Board hereby adopts the Preliminary Town Budget as the 2011 Annual Budget of the Town of Batavia.

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

Discussion: Supervisor Post thanked the Town Board for the countless hours working on the 2011 Town Budget. It wasn't easy making cuts. The Town maintains the zero tax rate and continues to support commerce.

RESOLUTION NO. 149:

Deputy Supervisor Underhill offered the following:

TOWN OF BATAVIA WATER RATES – 2011

WHEREAS, pursuant to the Code of the Town, Section 229-15, the Town Board shall by resolution establish and from time to time modify the water rate for all water sold by the Town of Batavia; and

WHEREAS, as a courtesy to the consumers, the Town Board held a public hearing on November 3, 2010 for the establishment of the 2011 water rates; and

WHEREAS, the water rate for May 2011 to February 2012 is set at \$4.48/1,000; and

NOW, THEREFORE, BE IT

RESOLVED, the Batavia Town Board hereby authorizes the imposition of the aforementioned water rates for one (1) year beginning January 1, 2011.

RESOLVED, the water rates are to be paid quarterly in the months of May, August and November, 2011 and February, 2012.

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

RESOLUTION NO. 150:

Supervisor Post offered the following:

TOWN OF BATAVIA SEWER RENTS – 2011

WHEREAS, pursuant to General Municipal Law Section 452 as amended, impositions of sewer rents in Sewer Districts No. 1 and No. 2 in the Town of Batavia are subject to approval by the Batavia Town Board;

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WHEREAS, these sewer rents are imposed to pay for the cost of wastewater treatment and operation and maintenance of the sewer lines;

WHEREAS, in Sewer District No. 1 the sewer rents for 2011 has been set at five dollars and thirty-five cents (\$5.35) per 1000 gallons;

WHEREAS, in Sewer District No. 2 the sewer rents for 2010 has been set at five dollars and thirty-five cents (\$5.35) per 1000 gallons;

WHEREAS, as required by law and in conjunction with the public hearing held November 3, 2010 for the 2011 Town Budget, these rates were entered in and made a part of the record.

RESOLVED, the Batavia Town Board hereby authorizes the imposition of the aforementioned sewer rents in Sewer Districts No. 1 and No. 2 for one (1) year beginning January 1, 2011.

RESOLVED, the sewer rents are to be paid quarterly in the months of May, August and November, 2011 and February, 2012.

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

RESOLUTION NO. 151:

Councilman Gerace offered the following:

**ORDER CALLING A PUBLIC HEARING
ON THE FIRE DEPARTMENT CONTRACT**

RESOLVED, that this Town Board hereby schedules a public hearing on the advisability of contracting with the Town of Batavia Fire Department, Inc. for fire protection to be provided to the Town of Batavia Fire Protection District by the Town of Batavia Fire Department, Inc., and that not less than ten (10) days notice of said hearing be published in the Daily News and posted on the signboard of the Town; and be it

FURTHER RESOLVED, that said hearing be scheduled for December 15, 2010 at the Batavia Town Hall at 6:55 o'clock p.m.

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

Discussion- Supervisor Post commented that the Fire Protection in the Town is served by volunteers. They have been maintaining the tax rate and he applauds their efforts.

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NOTICE FOR PUBLIC HEARING ON
FIRE PROTECTION CONTRACT FOR 2011

Public Notice is hereby given, that a Public Hearing will be held Wednesday, December 15, 2010, by the Town Board of the Town of Batavia, Genesee County, New York, at the Batavia Town Hall located at 3833 West Main Street Road beginning at 6:55 P.M. of that day and for the purpose of considering contracting with the Town of Batavia Fire Department, Inc. for fire protection services to be furnished by the Town of Batavia Fire Department, Inc to the Fire Department District established in the Town of Batavia and known as the "Town of Batavia Fire Protection District" upon the following general terms, to wit:

1. The Town of Batavia Fire Department, Inc. shall answer and attend upon all calls in said District;
2. The Town of Batavia Fire Department Inc., shall purchase and maintain such property, crime, dishonesty bond and liability insurance as it deems prudent to protect its interests. Such insurance shall include Automobile Liability, General Liability naming the Town of Batavia, its agents and employees as Additional Insureds, Contractual Liability for this Contract and should include Ambulance Attendants Professional Liability, Volunteer Fire Department Errors and Omissions Liability and Liquor Law Liability coverages. Liability limits of at least \$1,000,000.00 each occurrence, claim or incident are recommended but not required. A Certificate of all liability insurances, providing the Town with at least 30 days written notice of cancellation or nonrenewable, shall be furnished to the Town Attorney, Town Hall, 3833 West Main Street Road, Batavia, New York, 14020.

The Town of Batavia Fire Department, Inc. shall also indemnify and hold harmless the Town of Batavia, its agents and employees from all claims, suits, loss, damages, injuries, liability, cost and expenses arising from the services provided for in this contract and from the activities of the Fire District, its officers, employees and volunteers to the extent this provision is insured by the Town of Batavia Fire District.

3. The Town of Batavia Fire Department, Inc. shall maintain public liability and property damage insurance policies for the benefit of said District and the Town of Batavia, and shall hold said District and Town harmless for losses not covered by insurance;
4. The Town of Batavia Fire Department, Inc. shall be responsible for loss or damage sustained in fire apparatus or other equipment while attending fires in said District;
5. The Town of Batavia and the Town of Batavia Fire Protection District shall pay or provide insurance coverage for authorized items;
6. The Town of Batavia Fire Department, Inc. shall participate in the Genesee County Mutual Aid Plan and reserves certain rights pertaining to said participation;
7. The Town of Batavia Fire Department, Inc. shall reimburse the Town of Batavia should its equipment not be usable;
8. For such services the Town of Batavia Fire Department shall receive the yearly sum of Seven Hundred Twenty-Two Thousand Eight Hundred Twenty-Nine and 00/100 Dollars (\$722,829.00).

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9. The Town of Batavia shall plow and provide routine maintenance to the driveway and parking area of the Fire Department's Fire Hall;
10. The Town of Batavia Fire Department, Inc. shall provide financial data and records to the Town of Batavia.
11. The contract shall run for one (1) year from January 1, 2011 and shall expire on December 31, 2011

All persons interested in the matter will be heard at such time and place specified above.

Dated: November 17, 2010

Teresa M. Morasco
Town Clerk
Town of Batavia

RESOLUTION NO. 152:

Councilman Lang offered the following:

RESOLUTION TO INTRODUCE PROPOSED LOCAL LAW No. 4 OF 2010

WHEREAS, the Town Board of the Town of Batavia, New York desires to consider adopting legislation to amend the Dog Control Law of the Town of Batavia, also known as Town of Batavia Local Law No. 4 of 2010.

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Batavia, New York that proposed Local Law No. 4 of 2010, entitled "A Local Law to Amend the Dog Control Law of the Town of Batavia", 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 December 15, 2010, and that a public hearing be held before this Town Board on the 15th day of December, 2010, 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 ten (10) 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 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: Gerace

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Ayes: Lang, Gerace, Underhill, Post
APPROVED BY UNANIMOUS VOTE (4-0)

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 17th day of November, 2010, proposed Local Law No. 4 of 2010, entitled "A Local Law to Amend the Dog Control Law of the Town of Batavia", as summarized as follows:

1. Pursuant to recent amendments of the New York State Agriculture and Markets Law, all Towns in the State of New York shall now be completely responsible for administering the licensing, identification and control of the dog population.
2. All dogs in the Town of Batavia that are the age of 4 months and older must be annually licensed with the Town Clerk.
3. Fees will be charged as set by the Town Board by Resolution, subject to the periodic review by the Town Board, which may be changed by Resolution, if deemed necessary; for the following:
 - A. Spayed or neutered dogs, to include a New York State assessment.
 - B. Unspayed or unneutered dogs, to include a New York State assessment.
 - C. All dogs found unlicensed or not renewed at the time any enumeration is conducted.
 - D. Replacement tags.
 - E. A late fee for any license sixty (60) days past due.
 - F. Impoundment fees.
4. The Town will be issuing purebred licenses.
5. The Town will not allow licensing of dogs by a shelter or another municipality.
6. The Town will exempt guide dogs and other service dogs from the license fees.
7. A night quarantine will be enforced between sunset and one (1) hour after sun rise.

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8. Provisions for enforcement of the Dog Control Law by a Dog Control Officer, including the seizure, impoundment, forfeiture, adoption and/or euthanasia of dogs, if necessary.
9. Penalties for offenses as established in the New York State Agriculture and Markets Law.

PLEASE TAKE FURTHER NOTICE that on 15th day of December, 2010, at 6:50 p.m. 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 Dog Control Law amendment. A copy of said proposed 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 inspection during regular Office hours.

Dated: Batavia, New York
November 17, 2010

Teressa M. Morasco, Town Clerk
Town of Batavia, New York

RESOLUTION NO. 153:

Deputy Supervisor Underhill offered the following:

AUTHORIZATION TO EXECUTE
MEMORANDUM OF UNDERSTANDING FOR USAGE OF TOWN HALL

RESOLVED, the Batavia Town Board hereby authorizes the Supervisor to execute the Memorandum of Understanding, (attached) regarding the usage of Town facilities for the purpose of New York State Department of Motor Vehicle Hearings.

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

MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding (hereafter MOU) is made by and between the New York State Department of Motor Vehicles (hereafter DMV), located at 6 Empire Plaza, Swan Street Building, Albany, NY 12228, and the Town of Batavia (hereafter The Town), located at 3833 West Main Street Road, Batavia, NY 14020.

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Whereas, the parties above-mentioned wish now, for their mutual benefit, to enter into a MOU concerning the rental and use of a Hearing Room for the year 2011,

Now, therefore, the parties hereto mutually agree as follows:

1. DMV agrees to use and occupy the current Hearing Room, located at 3833 West Main Street Road, Batavia, NY 14020, and known as the "Meeting Room", to conduct its Safety and Business Hearings no more than three (3) days a month between January 3, 2011 and December 31, 2011 and The Town agrees to keep the presently used Hearing Room available for such DMV use on those same days, including the current use date.
2. During the term of this agreement, should DMV need to change the use dates for the Hearing Room, or The Town need to change the Hearing Room location to another room within the same building, or to another building within the Town, the party seeking the change must give written notice to the other party no later than 45 days before the next scheduled use date affected by the proposed change.
3. Concerning the foregoing provision, the Parties agree to accommodate, as far as possible, each other's scheduling needs concerning hearing dates and rooms. In particular, if The Town must change the Hearing Room to another location, it agrees to find similar accommodations within a reasonable distance from the current site, with adequate parking, heating, air conditioning, lighting, rest room, and electrical facilities for conducting of DMV safety and business hearings. The Parties acknowledge that if DMV elects to use the room only one or two days in any month, or not at all in any month, it shall not constitute a waiver of DMV's right to use the room on three days in any subsequent month; nor shall the rent amount, set forth herein, be reduced for any month in which DMV elects not to use either one or two or three days.
4. The Town agrees to give all necessary parties and witnesses attending the hearings access to the Hearing Room. To the extent possible, DMV agrees to keep the premises in a clean and orderly condition.
5. The Town shall provide all necessary janitorial and maintenance services for the Hearing Room, and provide adequate heat, air conditioning, furniture and lighting, for conducting DMV safety and business hearings.
6. All hearing participants shall have access to adequate rest rooms, provided those rooms are left by the hearing participants in the condition in which they were found.
7. This MOU shall be effective from January 3, 2011 to December 31, 2011, and may be renewed for additional one-year terms thereafter.
8. Either party may terminate this MOU upon sixty (60) days' written notice to the other party, and the sixtieth day after such notice is effected shall be deemed the termination date. However, if such notice is not received by the other party at least sixty (60) days before the next scheduled use date for the Hearing Room, it shall not affect such use date, and the termination shall be deemed effective on the sixtieth day from the receipt of notice, or on the day following the use date, whichever is later. Such notice to DMV must be provided to: Michael Pollio, Senior Administrative Law Judge, West Shore Plaza, 1775 South Avenue, Suite 2, Staten Island, NY 10314. Such notice to the Town must be provided to: Gregory H. Post, Town Supervisor; 3833 West Main Street Road, Batavia, NY 14020.
9. DMV shall pay the sum of Nine Hundred dollars (\$900.00) to The Town for the use of said Hearing Room for the period from January 3, 2011 through December 31, 2011, said sum representing a rental of seventy-five dollars (\$75.00) a month for twelve (12) months. The nine hundred dollars (\$900.00) sum shall be paid net thirty (30) days from the date of execution of this agreement, in accordance with Article XI-A of the NYS Finance Law.
10. Should either party terminate this MOU, The Town agrees to reimburse DMV seventy-five dollars (\$75.00) for each full month remaining from the date of termination to the expiration date of this agreement.
11. This MOU may only be amended in writing by mutual consent of the Parties.

In Witness Whereof, the Parties hereto have executed this Agreement by their duly authorized officer or representative.

Dated: _____, 2010

The Town of Batavia
By,

New York State Department
of Motor Vehicles

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By,

(Please Sign Here)

(Please Sign Here)

Gregory H. Post
Town Supervisor

(Please Print Name Here)

(Title)

State of New York }
County of Genesee }ss.

On this _____ day of _____, 2010, before me, the undersigned, 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, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Notary Public

State of New York }
County of _____ }ss.

On this _____ day of _____, 2010, before me, the undersigned, personally appeared _____, 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, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Notary Public

RESOLUTION NO. 154:

Supervisor Post offered the following:

**AUTHORIZATION TO PREPARE
ASSESSMENT SETTLEMENT DOCUMENTS
GEORGIA PACIFIC CORPORATION**

WHEREAS, Notice of Petition was filed against the Assessor, the Board of Assessment Review, and the Town of Batavia by Georgia Pacific Corporation, Index #58806; and

WHEREAS, Bennett DiFilippo, & Kurtzhaltz, LLP, was retained by the Town to represent the Town in the Assessment Proceedings.

NOW, THEREFORE, BE IT

RESOLVED, the Batavia Town Board hereby authorizes Bennett, DiFilippo & Kurtzhaltz to prepare all the necessary documentation to settle the case between the Town of Batavia and Georgia

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Pacific Corporation, for the following terms and conditions:

1. Georgia Pacific Corporation will discontinue its present Petition for the 2009 and 2010 tax years.
2. The assessed valuation of the real property will be reduced from \$1.6 Million to \$1.5 Million starting with the 2011 tax year.

Second by: Councilman Gerace

Ayes: Post, Gerace, Lang, Underhill

APPROVED by unanimous vote (4-0)

Discussion- Supervisor Post stated that this settlement will not affect Town revenue.

RESOLUTION NO. 155:

Councilman Gerace offered the following:

AUTHORIZING BUDGET TRANSFERS FOR 2010

RESOLVED, the Batavia Town Board hereby authorizes the following Budget Transfers:

General Fund:

<u>From</u>	<u>Amount</u>	<u>To</u>
A1355.101 Assessor Stipend	\$698.42	A1355.400 Assessor Contr.
A1355.103 Assessor Asst.	\$1,000.00	A1355.400 Assessor Contr.
A8030.400 R&D	\$500.00	A7110.102 Parks – Pers Svc
A8030.400 R&D	\$200.00	A7110.400 Parks Contractual
A8030.400 R&D	\$900.00	A7110.401 Parks – Galloway
A8020.102 Panning Board Members	\$300.00	A8020.101 Planning Board Secretary
A8162.100 Trs St Pers Svc	\$100.00	A8162.101 Trs St Pers Svc
A8164.101 Sanitary LF Pers Svc	\$100.00	A8164.102 Sanitary LF Pers Svc
A8165.403 Superfund Engineering	\$200.00	A8165.406 Superfund – Maint
A9055.800 Disability	\$100.00	A9050.800 Unemployment
A1990.400 Contingency	\$60,000.00	A9060.800 Health Insurance

Highway Fund:

<u>From</u>	<u>Amount</u>	<u>To</u>
DA5110.400 General Repair- Contr Svc	\$8,500.00	DA5110.100 General Repair–Pers
DA5110.400 General Repair – Contr	\$4,500.00	DA5110.101 General Repair – PT
DA5140.400 Brush & Weeds Contr Svc	\$1,000.00	DA5140.100 Brush & Weeds Pers
DA9050.800 Unemployment	\$5,000.00	DA9060.800 Health Insurance

Sewer District #1 Fund:

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<u>From</u>	<u>Amount</u>	<u>To</u>
SS1-8120.100 San Sewer Equip	\$6,000.00	SS1-8120.400 San Sewer Contr
SS1-8120.406 San Sewer Repla	\$4,000.00	SS1-8120.400 San Sewer Contr

Sewer District #2 Fund:

<u>From</u>	<u>Amount</u>	<u>To</u>
SS2-8120.200 San Sewer Equip	\$3,000.00	SS2-9060.800 Health Insurance

Water District Fund:

<u>From</u>	<u>Amount</u>	<u>To</u>
SW8340.400 Trans Dist Contractual	\$1,254.00	SW8310.402 Wtr Admin Agreement
SW8340.405 Trs Dist Mstr Meter	\$5,000.00	SW9060.800 Health Insurance

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

RESOLUTION NO. 156:

Councilman Lang offered the following:

**HEALTH INSURANCE FOR
NON-BARGAINING EMPLOYEES**

WHEREAS, the Town of Batavia currently provides Health Insurance to the non-bargaining employees through MVP Healthcare; and

WHEREAS, as of December 1, 2010 the current EPO plan will no longer be available; and

WHEREAS, the Town received quotes from MVP Healthcare and from Univera for the new plans that will be available and still maintain the level of benefits to the employees; and

WHEREAS, the Univera monthly cost for the single plan is 235.28, employee & spouse plan is \$494.09, employee & one child is \$441.83 and the monthly cost for the family plan is \$736.37; and

WHEREAS, the Town Board of the Town of Batavia supports maintaining the level of benefit to the non-bargaining employees by reimbursing them in full for medical co-pays by continuing to have a Health Reimbursement Arrangement (HRA) through EBS Benefit Solutions, Fairport, New York.

NOW, THEREFORE, BE IT

RESOLVED, the Batavia Town Board hereby authorizes Univera Healthcare Insurance Tier 4 coverage through CPP, Inc. at the aforementioned monthly costs to the non-bargaining employees who are eligible for health insurance in accordance with the Town's policies and procedures; and be it

FURTHER RESOLVED, that the Supervisor is hereby authorized to execute the attached Health

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Insurance Services Quote between the Town of Batavia and Univera Healthcare.

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

Discussion- Supervisor Post stated that there appears to be a savings of 5% as compared to last year and overall will be considerable savings based on the other plans offered.

RESOLUTION NO. 157:

Deputy Supervisor Underhill offered the following:

**LEVYING UNPAID BUILDING PERMIT CHARGEBACKS
AGAINST 2011 TAX WARRANT**

WHEREAS, the Town Clerk has prepared a list of Building Permit Applicants (attached) who owe the Town for costs incurred in issuance of the building permit as of November, 2010; and

WHEREAS, the Building Permit Fee Schedule addresses such fees to be paid by the applicant; and

WHEREAS, thus far these fees have not been paid.

NOW, THEREFORE, BE IT

RESOLVED, that the attached list in the amount of \$1,105.00 or as may be amended before final submission to the Genesee County Treasurer, be and is hereby approved for levying against the individual(s) 2011 tax warrant.

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

**TOWN OF BATAVIA
BUILDING PERMIT
CHARGEBACKS**

Mega Properties (Koolatron)	Parcel 8-1-63.112/P	\$1,105.00
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RESOLUTION NO. 158:

Supervisor Post offered the following:

AUDIT AGREEMENT FOR

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**NYSORHP ENVIRONMENTAL PROTECTION FUND GRANT
GALLOWAY ROAD**

WHEREAS, to comply with the Passive Recreation Use Project (Contract No. 407020-G5) for the New York State Office of Parks, Recreation and Historic Preservation (NYSOPRHP) Grant, the Town is required to have an audit conducted; and

WHEREAS, Freed Maxick & Battaglia, PC has submitted a proposal to perform the audit in relation to the project and the fee for these services are stipulated in the proposal (attached).

RESOLVED, the Batavia Town Board hereby authorizes the Supervisor to execute the aforementioned proposal agreement between the Town of Batavia and Freed, Maxick & Battaglia for services rendered in connection with the NYSOPRHP Grant.

Second by: Councilman Gerace

Ayes: Post, Gerace, Lang, Underhill

APPROVED by unanimous vote (4-0)

RESOLUTION NO. 159:

Councilman Gerace offered the following:

**RESOLUTION TO AUTHORIZE PURCHASE OF A
PARCEL OF LAND LOCATED ON WEST MAIN STREET ROAD**

WHEREAS, the Town of Batavia is seeking to purchase a parcel of land as set forth hereinafter for the purpose of developing park and recreational areas and facilities, and

WHEREAS, the recently adopted Town Comprehensive Plan recommends that the Town should acquire and develop additional park and recreational facilities, and

WHEREAS, a purchase price of \$75,000.00 is to be offered for property owned by Panchal Bhupendrabhai located at 3768 West Main Street Road, in the Town of Batavia, consisting of approximately 2.9 acres, and

WHEREAS, the Town intends to obtain an independent appraisal to determine that the Town is paying a fair amount for this parcel, and

WHEREAS, the Town Board desires to purchase this property with the standard contingencies in a Contract for Real Property, as well as subject to the following contingencies:

- A. Within 15 days of acceptance by Seller, the Purchaser at its own expense will obtain a satisfactory appraisal to confirm that the purchase price is reasonably related to the fair market value of the property.
- B. The Purchaser must complete the permissive referendum process.

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C. The Seller will deliver the property at closing free of all rubbish, garbage and debris, both inside and outside of the existing buildings.

NOW, THEREFORE, BE IT RESOLVED, by the Town Board of the Town of Batavia, that, subject to permissive referendum, the Supervisor of the Town is hereby authorized to submit an offer, and if accepted, to thereafter purchase on behalf of the Town the real property of Panchal Bhupendrabhai located on 3768 West Main Street Road, tax map no. 11.-2-48, for the price of \$75,000.00 pursuant to a proposed "Contract for Real Property", annexed and to be made part of the Minutes hereof, with the further provision that the Supervisor is authorized to execute this document with any language changes required by the Seller, that do not affect the purchase price authorized herein, as long as revisions have been approved by the Town Engineer and the Town Attorney, and

BE IT FURTHER RESOLVED, that the Supervisor is hereby authorized to execute all documents that may be required to effectuate the conveyance and transfer of all rights, title and interest of the aforesaid parcel to the Town of Batavia.

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

RESOLUTION NO. 160:

Councilman Lang offered the following:

TOWN OF BATAVIA

COUNTY OF GENESEE, NEW YORK

EXTRACT OF MINUTES

A meeting of the Town Board of the Town of Batavia, Genesee County, New York was convened in public session at the Town Hall located at 3833 West Main Street Road, in the Town of Batavia, New York on November 17, 2010, at 7:00 o'clock p.m, local time.

The meeting was called to order by the Town Supervisor and, upon roll being called, the following members were:

Gregory H. Post, Supervisor
Daniel G. Underhill, Deputy Supervisor
Alfred Lang, Councilman
John Gerace, Councilman

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There were absent: Patti Michalak, Councilwoman

Also present: Teresa M. Morasco, Town Clerk
* * *

The following resolution was offered by Councilman Lang, seconded by Councilman Gerace, to wit;

A BOND RESOLUTION, DATED NOVEMBER 17, 2010, OF THE TOWN OF BATAVIA, GENESEE COUNTY, NEW YORK (THE “TOWN”), AUTHORIZING THE CONSTRUCTION OF IMPROVEMENTS IN THE WORTENDYKE AND PIKE ROADS WATER DISTRICT IN AN AMOUNT NOT TO EXCEED \$270,140, APPROPRIATING SAID AMOUNT THEREFORE, AND AUTHORIZING THE ISSUANCE OF SERIAL BONDS OF SAID TOWN IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$270,140, OFFSET BY ANY FEDERAL, STATE, COUNTY AND/OR LOCAL FUNDS RECEIVED, PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE SAID PURPOSE AND DELEGATING THE POWER TO ISSUE BOND ANTICIPATION NOTES IN ANTICIPATION OF THE SALE OF SUCH BONDS TO THE TOWN SUPERVISOR.

WHEREAS, the Town Board of the Town of Batavia, Genesee County, New York (the “Town”), pursuant to Article 12 of the Town Law, created a water district designated and known as the “Wortendyke and Pike Roads Water District” (the “Water District”); and

WHEREAS, the Town Board desires to undertake a project (the “Project”) consisting of the construction of the infrastructure for the Water District and the undertaking of a capital project in the Water District; and

WHEREAS, by Resolutions the Town Board took the following actions with respect to the Project: (a) prepared maps, plans and boundaries for the Water District, (b) held a public hearing with respect to the Project, (c) determined that the Project would not have a significant effect on the environment under Article 8 of the Environmental Conservation Law, and (d) determined that the requirements of Article 12 of the Town Law had been satisfied with respect to the Project and (e) by resolution, formally established the Water District on October 20, 2010; and

WHEREAS, the Town Board desires to issue obligations of the Town to finance the costs of the Project;

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BE IT RESOLVED, by the Town Board (by the favorable vote of not less than two-thirds of all the members of the Board) as follows:

SECTION 1: The specific purpose (hereinafter referred to as “purpose”) to be financed pursuant to this resolution is the construction and installation of approximately 4,600 linear feet of new eight (8) inch water main along a portion of Wortendyke Road starting at and connecting with an existing water transmission line on Wortendyke Road located at the intersection of NYS Route 33 (Pearl Street Road); and then running northerly along Wortendyke Road to the intersection of South Main Street Road, together with all related right-of-way costs, site work and other ancillary work, including hydrants, valves, apparatus and other improvements and costs incidental thereto for the foregoing purpose. The estimated maximum cost of said purpose will not exceed \$270,140.

SECTION 2: The Town Board plans to finance the maximum estimated cost of said purpose by the issuance of serial bonds in an amount not to exceed \$270,140 of the Town, said amount to be offset by the receipt of any federal, state, county and/or local funds, and the assessment, levy and collection of assessments from the several lots and parcels of land within the District which the Town Board shall determine to be especially benefited thereby, so much upon and from each in just proportion to the amount of benefit conferred upon the same, except as provided by law, sufficient to pay the principal of said bonds and the interest on such bonds as the same shall become due and payable.

SECTION 3: It is hereby determined that said purpose is an object or purpose described in subdivision 1 of paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is 40 years.

SECTION 4: Current funds are not required to be provided prior to the issuance of the bonds authorized by this resolution or any notes issued in anticipation of the sale of said bonds.

SECTION 5: It is hereby determined the proposed maturity of the obligations authorized by this resolution will be in excess of five years.

SECTION 6: The faith and credit of said Town are hereby irrevocably pledged for the payment of the principal of and interest on such bonds (and any bond anticipation notes issued in anticipation of the sale of such bonds) as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds or notes becoming due and payable in such year. Should the assessments upon benefited real property be insufficient to pay the principal of and interest on such bonds, there shall annually be levied on all the taxable real property of said Town a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

SECTION 7: Subject to the provisions of this resolution and of the Local Finance Law, pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals of said notes and of Section 21.00, Section 50.00, Sections 56.00 to 60.00, Section 62.00 and Section 63.00 of the Local Finance Law, the powers and duties of the Town Board pertaining or incidental to the sale and issuance of the obligations herein authorized including, but not limited to, authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said notes, are hereby delegated to the Town Supervisor, the chief fiscal officer of the Town.

SECTION 8: The temporary use of available funds of the Town, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized

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pursuant to Section 165.10 of the Local Finance Law, for the purpose or purposes described in Section 1 of this resolution. The Town then reasonably expects to reimburse any such expenditures (to the extent made after the date hereof or within 60 days prior to the date hereof) with the proceeds of the bonds authorized by Section 2 of this resolution (or with the proceeds of any bond anticipation notes issued in anticipation of the sale of such bonds). This resolution shall constitute the declaration of the Town's "official intent" to reimburse the expenditures authorized by Section 2 hereof with such bond or note proceeds, as required by United States Treasury Regulations Section 1.150-2.

SECTION 9: The Town Supervisor is further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the bonds authorized by this resolution, and any notes issued in anticipation thereof, as excludable from gross income for federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") and to designate the bonds authorized by this resolution, and any notes issued in anticipation thereof as "qualified tax-exempt bonds" in accordance with Section 265(b)(3)(B)(i) of the Code.

SECTION 10: The Town Supervisor is further authorized to enter into a continuing disclosure agreement with the initial purchaser of the bonds or notes authorized by this resolution, containing provisions which are satisfactory to such purchaser in compliance with the provisions of Rule 15c12-12, promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934.

SECTION 11: The Town has complied in every respect with all applicable federal, state and local laws and regulations regarding environmental matters, including compliance with the New York State Environmental Quality Review Act ("SEQRA"), comprising Article 8 of the Environmental Conservation Law and, in connection therewith, duly issued a negative declaration and/or other applicable documentation, and therefore, no further action under the State Environmental Quality Review Act is necessary.

SECTION 12: The validity of said serial bonds or of any bond anticipation notes issued in anticipation of the sale of said serial bonds may be contested only if:

- (1) (a) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
- (b) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and

an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication; or

- (2) Said obligations are authorized in violation of the provisions of the Constitution of New York.

SECTION 13: The Town Clerk is hereby authorized and directed to publish this resolution, or a summary thereof, together with a notice in substantially the form provided by Section 81.00 of said Local Finance Law, in a newspaper having a general circulation in said Town and hereby designated as the official newspaper of said Town for such publication.

SECTION 14: This resolution is effective immediately.

* * * * *

The question of the adoption of the foregoing resolution was duly put to vote on a roll call, which resulted as follows:

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AYES: Councilman Lang, Councilman Gerace, Deputy Supervisor Underhill, Supervisor Post

NOES:

ABSENT: Councilwoman Michalak

The foregoing resolution was thereupon declared duly adopted.

RESOLUTION NO. 161:

Deputy Supervisor Underhill offered the following:

**APPROVAL OF CHANGE ORDER NO. 1
SANITARY SEWER DISTRICT NO. 1 IMPROVEMENTS**

WHEREAS, Tom Greenauer Development, Incorporated is under contract with the Town of Batavia for the Sanitary Sewer District No. 1 Improvements and

WHEREAS, Tom Greenauer Development, Incorporated has submitted a change order request in the amount of thirty-four thousand, one hundred, seventy-six dollars and fifty-three cents (\$34,176.53), as shown on the attached Change Order No.1, and

WHEREAS, the Town Engineer has reviewed the change order request along with the Clerk of the Works records and recommends approval of the change order request.

NOW, THEREFORE, BE IT

RESOLVED, the Town of Batavia hereby authorizes the Supervisor to execute the attached Change Order No.1.

Second by: Councilman Lang

Ayes: Underhill, Lang, Gerace, Post

APPROVED by unanimous vote (4-0)

Discussion- Supervisor Post reviewed the list of changes and has no problem supporting this change order. The improvements will be a solution to erosion control.

RESOLUTION NO. 162:

Supervisor Post offered the following:

**PROPOSAL OF SERVICES AGREEMENT –
BETWEEN THE TOWN OF BATAVIA AND STUART I. BROWN ASSOCIATES**

WHEREAS, the Town wishes to retain Stuart I. Brown Associates to prepare an application for funding for the Town of Batavia under the Records Management program administered by State Archives, “Local Government Records Management Improvement Fund (LGRMIF); and

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WHEREAS, the application for funding is to scan and convert records stored at the Town Hall to microfilm, the project is needed to improve access to records and to free up space in existing office areas. The cost to prepare the application is two thousand dollars (\$2,000.00) (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 LGRMIF Application at a cost not to exceed two thousand dollars (\$2,000.00) and to execute an agreement between the Town of Batavia and Stuart I. Brown Associates.

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

RESOLUTION NO. 163:

Councilman Gerace offered the following:

**PROFESSIONAL SERVICES AGREEMENT FOR
WORTENDYKE AND PIKE ROAD WATER DISTRICT
BETWEEN THE TOWN OF BATAVIA AND CLARK PATTERSON LEE**

WHEREAS, the Town of Batavia has formed the Wortendyke and Pike Road Water District; and

WHEREAS, the Town of Batavia Engineering Department is completing the majority of the engineering services “in house”; and

WHEREAS, Clark Patterson Lee has provided a letter proposal for engineering support services (letter attached) for a lump sum of eight thousand dollars (\$8,000.00) for Task 1 and at an hourly rate of seventy-five dollars (\$75/hour) for Task 2. Task 2 will be as required/directed by the Town Engineer.

NOW, THEREFORE, BE IT RESOLVED, the Batavia Town Board authorizes the Supervisor to retain Clark Patterson Lee for engineering and construction support for the amount of eight thousand dollars (\$8,000.00) for task 1 and an hourly rate of seventy-five dollars (\$75/hour) for task 2 in relation to the design and construction of the Wortendyke and Pike Road Water District.

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

RESOLUTION NO. 164:

Councilman Lang offered the following:

**RESOLUTION AUTHORIZING APPLICATION FOR A GREEN INNOVATION GRANT
PROGRAM (GIGP 2010) FUNDING - NYS ENVIRONMENTAL FACILITIES CORPORATION**

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NOW THEREFORE, BE IT RESOLVED, that Gregory Post., as Supervisor of the Town of Batavia, is hereby authorized and directed to submit an application for grant funding under the New York State Environmental Facilities Corporation's Green Innovation Grant Program (GIGP 2010) to design, purchase and install an innovative leak detection system on the Town's existing water and sanitary sewer systems.

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

RESOLUTION NO. 165:

Deputy Supervisor Underhill offered the following:

**RESOLUTION AUTHORIZING THE EXECUTION OF GREEN INNOVATION GRANT
PROGRAM (GIGP 2010) GRANT AGREEMENT**

NOW THEREFORE, BE IT RESOLVED, that Gregory Post., as Supervisor of the Town of Batavia, is hereby authorized and directed to execute a Grant Agreement with the New York State Environmental Facilities Corporation with such changes as agreed to by the Town's chief fiscal officer for the design, purchase and installation of an innovative leak detection system on the Town's existing water and sanitary sewer systems.

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

RESOLUTION NO. 166:

Supervisor Post offered the following:

**RESOLUTION TO PROVIDE THE LOCAL MATCH
OF THE COST OF THE TOWN OF BATAVIA'S
GREEN INNOVATION GRANT PROGRAM (GIGP 2010) PROJECT**

WHEREAS, the Town has proposed the design, purchase and installation of an innovative leak detection system to reduce the consumption of water, reduce energy consumption and carry out Town services more efficiently;

WHEREAS, the cost of designing, purchasing and installing the system is estimated at \$167,500, including construction and administrative costs; and

WHEREAS, the Town Board has authorized the Supervisor to file an Application for the Green Innovation Grant Program (GIGP) for designing, purchasing and installing the innovative leak detection system;

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NOW, THEREFORE, BE IT

RESOLVED, that the Batavia Town Board authorizes and appropriates a minimum of 10% local match as required by the Green Innovation Grant Program for the GIGP project to design, purchase and install the proposed innovative leak detection system. Under the GIGP program, this local match must be at least 10% of the total actual project costs. The maximum local share appropriated subject to any changes agreed to by the Town Supervisor shall not exceed \$50,000 based upon a total estimated maximum project cost of \$167,500. The Town Supervisor may increase this local match through the use of in kind services without further approval from the Town Board.

THESE FUNDS ARE TO BE PROVIDED FROM WATER AND SEWER SYSTEM OPERATING FUNDS CONSISTENT WITH APPLICABLE LAWS OF THE STATE OF NEW YORK, IF THE TOWN'S REQUEST FOR GREEN INNOVATION GRANT PROGRAM FUNDING IS APPROVED.

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

Discussion- Supervisor Post expressed that he supports this. Our staff is on board with this and is able to provide these services. The Supervisor is hopeful for the Town to provide more than the minimum 10%, the more contributed for the local share the higher our score rating which increases our approval for funding.

RESOLUTION NO. 167:

Councilman Gerace offered the following:

RESOLUTION TO CLASSIFY THE PROPOSED DESIGN, PURCHASE AND INSTALLATION OF AN INNOVATIVE LEAK DETECTION SYSTEM ON TOWN'S EXISTING WATER AND SANITARY SEWER SYSTEM AS PART OF THE AS A TYPE II ACTION PURSUANT TO THE NY STATE ENVIRONMENTAL QUALITY REVIEW ACT (SEQRA). GREEN INNOVATION GRANT PROGRAM 2010

WHEREAS, the Town of Batavia has identified a need to design, purchase and install an innovative leak detection system on its existing water and sanitary sewer system; and

WHEREAS, 6 NYCRR Section 617.5 Title 6 of the New York Code of Rules and regulations) under the State Environmental Quality review Act (SEQR) provides that certain actions identified in subdivision (c) of that section are not subject to environmental review under the Environmental Conservation Law;

WHEREAS, the action of designing, purchasing and installing the innovative leak detection system meets the criteria, "maintenance or repair involving no substantial changes in an existing structure or facility," included in the list of Type II actions in §617.5 of the SEQRA regulations;

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NOW, THEREFORE, BE IT RESOLVED, that the Batavia Town Board hereby determines that the proposed improvements is a Type II action in accordance with 6 NYCRR Section 617.5(c) and is therefore not subject to review under 6 NYCRR Part 617.

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

Abstract No. 11-2010: Motion Councilman Gerace, second Councilman Lang to authorize the Supervisor to pay the following vouchers:

General	\$ 378,313.56
Highway	27,960.08
Sewer No. 1	29,379.53
Sewer No. 2	58,733.10
Water	146,874.53
Pearl	4,000.00
Alexander/Pike	16,735.50
Rose	1,715.58
Wortendyke/Pike	941.84
Total	664,653.72

Check numbers 15346 - 15349, 15354 – 15427, 15429 -15443

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

DEPARTMENT REPORTS:

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 .18%.

GAM- Next GAM Meeting will be tomorrow evening at 7:00 P.M. at the Byron Hotel. Supervisor will be attending. Topics are Time Warner & Health Insurance.

Special Town Board Meeting will be held November 23, 2010 at 5:00 P.M. to renew the Town insurance policies.

Work Session – Next week's work session is going to be held on Tuesday rather than on Wednesday. It will be immediately following the Special Town Board Meeting.

Sales Tax Revenue- Received the third quarter sales tax payment in the amount of \$488,312.98

\$250,000 2011 COUNTY TAX LEVY- Motion Deputy Supervisor Underhill, second Councilman Gerace authorizing \$250,000 to be sent to the Genesee County Treasurer to reduce the 2011 County Tax Levy for Town of Batavia property owners.

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Ayes: Underhill, Gerace, Lang, Post

MOTION CARRIED by unanimous vote (4-0)

JPS CORPORATION OF BATAVIA (GENESEE LOUNGE-TRAVELODGE) WAIVER

LETTER – Motion Deputy Supervisor Underhill, second Councilman Gerace authorizing a waiver to JPS Corporation of Batavia for the 30 day advance notice for applying for a New York State Liquor License Renewal. Said license expires 11/30/10.

Ayes: Underhill, Gerace, Lang, Post

MOTION CARRIED by unanimous vote (4-0)

Erosion & Sediment Training- Motion Councilman Gerace, second Councilman Lang authorizing Greg Post, Jason Armbrewster, Joey Neth, and Tom Lichtenthal to attend the NYSDEC Endorsed 4 Hour Erosion and Sediment Training, offered by Monroe County Soil and Water Conservation District on December 15, 2010. The cost of the training is \$95.00 per person.

Ayes: Gerace, Lang, Underhill, Post

MOTION CARRIED by unanimous vote (4-0)

2007 Word/Excel and Safety Training- Motion Deputy Supervisor Underhill, second Councilman Lang authorizing The Best Center-GCC to conduct 2007 Word and Excel training, as well as the Safety Training classes to Town staff. The cost is \$50.00 per hour, plus cost of course book (\$20 - \$40/person). The funds are allocated in the 2010 budget for staff development.

Ayes: Underhill, Lang, Gerace, Post

MOTION CARRIED by unanimous vote (4-0)

COMMUNICATIONS:

The Town Clerk reported on the following:

October Town Clerk monthly report collected a total of \$8,295.76 remitted \$5,657.99 to the Supervisor for the Local Share.

Building Inspector Worthington filed his resignation. He will be retiring as of December 24.

Liquor License Renewal –Received notification JPS Corporation of Batavia (Genesee Lounge-Travelodge), and Mazur Enterprises, Incorporated (Johnny’s), that they have applied for their renewal of their liquor licenses. Arena Parkway, Incorporated (The Ten Cent Millionaire Tavern), has applied for a liquor licenses for his proposed new establishment.

Planning/Zoning Workshop- Monroe County Soil and Water Conservation District is offering a NYSDEC Endorsed 4 Hour Erosion and Sediment Training December 15, 2010. Town Officials have been advised and it is posted in the break room.

Thank You- Received a thank you card from Carolyn Bennett for the thoughtful and kind assistance that she receives from the Town of Batavia staff, with a special thank you to Michael Cleveland, Assessor.

Consolidated Charter Task Force – The Town is accepting applications from individuals interested in being on the Consolidated Charter Task Force. Applications are available in the Town Clerk’s Office and the City Clerk’s Office, as well as on the Town and City websites. The application must be filed in the Town or City Clerk’s Office by December 10, 2010.

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Town Clerk's Office will be closed on Thursday and Friday November 25 & 26 in observance of Thanksgiving

COMMITTEE REPORTS:

ADJOURNMENT:

Motion Deputy Supervisor Underhill, second Councilman Gerace to adjourn the Regular Town Board Meeting at 7:52 P.M.

Ayes: Underhill, Gerace, Lang, Post

MOTION CARRIED by unanimous vote (4-0)

Respectfully submitted,

Teresa M. Morasco
Town Clerk