

**JANUARY 19, 2011
REGULAR TOWN BOARD MEETING**

Town Hall

7:00 P.M.

East Pembroke Boy Scouts-Troop 64 led the pledge to the flag.

Roll Call

Present:

Deputy Supervisor Underhill
Councilman Lang
Councilwoman Michalak
Councilman Gerace

Absent:

Supervisor Post

Others

Present:

Town Clerk Morasco
Roger Muehlig, Daily News Reporter
Scout Masters and East Pembroke Boy Scouts Troop 64

The Deputy Supervisor called the meeting to order at 7:00 P.M.

Deputy Supervisor Underhill welcomed the Scout Master Tim Franclemont, Assistant Scout Master John Summers and the Boy Scouts. The Boy Scouts are attending this meeting as part of completing the badge "Citizenship in the Community".

Congratulations to Billy Gerych, James Kutter, and Dean Kubick who recently earned their Eagle Scout status.

December 15, 2010 Public Hearing-Town of Batavia Fire Contract: Motion Councilman Lang, second Councilwoman Michalak to approve the minutes as written.

Ayes: Lang, Michalak, Gerace, Underhill

MOTION CARRIED by unanimous vote (4-0)

December 15, 2010 Public Hearing-Local Law 4 of 2010 Amend Dog Control Law: Motion Councilman Gerace, second Councilman Lang to approve the minutes as written.

Ayes: Gerace, Lang, Michalak, Underhill

MOTION CARRIED by unanimous vote (4-0)

December 15, 2010 Regular Town Board Meeting: Motion Councilman Lang, second Councilwoman Michalak to approve the minutes as written.

Ayes: Lang, Michalak, Gerace, Underhill

MOTION CARRIED by unanimous vote (4-0)

January 5, 2011 Organizational Meeting- Motion Councilman Lang, second Councilman Gerace to approve the minutes as written.

Ayes: Lang, Gerace, Michalak, Underhill

MOTION CARRIED by unanimous vote (4-0)

RESOLUTION NO. 29:

Councilman Lang offered the following:

BACKFLOW PREVENTION CONSULTANTS AND THE TOWN OF BATAVIA

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RESOLVED, the Batavia Town Board hereby authorizes the Supervisor to execute an agreement between Backflow Prevention Consultants and the Town of Batavia for purposes of the continuation of the development and management of the Cross Connection Control Program, working as directed by the Town Engineer (agreement attached).

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

RESOLUTION NO. 30:

Deputy Supervisor Underhill offered the following:

**AUDIT SERVICES AGREEMENT –
BETWEEN THE TOWN OF BATAVIA AND FREED MAXICK & BATTAGLIA, PC**

RESOLVED, the Batavia Town Board hereby authorizes the Supervisor to retain Freed Maxick & Battaglia, PC to perform auditing services for the Town and to execute the agreements between the Town of Batavia and Freed Maxick & Battaglia, PC (agreements attached).

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

RESOLUTION NO. 31:

Councilwoman Michalak offered the following:

**AMENDING INCIDENT COMMAND SYSTEM
ORGANIZATIONAL CHART CONTACT LIST
EMERGENCY PREPAREDNESS PLAN**

WHEREAS, the Town of Batavia has an Emergency Preparedness Plan in place;

WHEREAS, the Incident Command System Organizational Chart Contact List of personnel names and phone numbers has been amended (attached).

NOW, THEREFORE, BE IT

RESOLVED, the Batavia Town Board hereby adopts the Incident Command System Organizational Chart Contact List as amended; and be it

FURTHER RESOLVED, the Batavia Town Board hereby directs that the amended Incident Command System Organizational Chart Contact List be sent to all parties named on the Organizational Chart, along with the Emergency Preparedness Plan.

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

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**TOWN OF BATAVIA
INCIDENT COMMAND SYSTEM
ORGANIZATIONAL CHART CONTACT LIST**

TOWN BOARD

| | <u>HOME#</u> | <u>BUSINESS#</u> | <u>CELL#</u> |
|------------------|---------------------|-------------------------|---------------------|
| Gregory H. Post | 343-2088 | 343-1729 | 716-474-3216 |
| Daniel Underhill | 344-3026 | 343-1729 | 585-356-5646 |
| Alfred Lang | 343-5344 | | |
| John Gerace | 343-4979 | 343-1729 | 585-303-0407 |
| Patti Michalak | 343-7874 | 343-1729 | 716-601-4663 |

TOWN ATTORNEY

| | | | |
|------------|--|----------|--|
| Kevin Earl | | 343-6320 | |
|------------|--|----------|--|

OPERATIONS SECTION COORDINATOR:

Fire Department-

| | | | |
|--|----------|----------|--------------|
| Randy McIntire, Fire Chief | 356-3556 | 344-3284 | 585-356-0080 |
| John Fitzsimmons, President | 344-1901 | 344-3284 | 585-356-1506 |
| Paul Barrett, Deputy Fire Chief | 343-2369 | 344-3284 | 585-409-1372 |
| Donald Newton, Jr., Fire Chief | | | 585-813-4033 |
| Steve Smelski, 1 st Asst Fire Chief | | | 585-356-0984 |

Law Enforcement

| | | | |
|-------------------------------------|--|----------|--|
| Genesee County Sheriff's Department | | 343-5000 | |
| New York State Police | | 343-2200 | |

Highway Operations

| | | | |
|--------------------|--|------------------|--------------|
| Thomas Lichtenthal | | 343-1729 ext 218 | 585-356-7153 |
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Public Utilities

Emergency Medical Services

| | | | |
|------------------------|--|----------|--|
| United Memorial Center | | 343-6030 | |
|------------------------|--|----------|--|

PLANNING SECTION COORDINATOR:

Highway

| | | | |
|--------------------|--|------------------|--------------|
| Thomas Lichtenthal | | 343-1729 ext 218 | 585-356-7153 |
|--------------------|--|------------------|--------------|

Town Engineer/Water&Wastewater

| | | | |
|----------------|----------|-------------------|--------------|
| Steve Mountain | 343-2251 | 343-1729 ext. 220 | 585-755-6408 |
|----------------|----------|-------------------|--------------|

Code Enforcement/Fire Marshall

| | | | |
|---------------|--|------------------|--------------|
| Bruce Gerould | | 343-1729 ext 208 | 585-409-0534 |
|---------------|--|------------------|--------------|

Assessor

| | | | |
|-------------------|----------|------------------|--------------|
| Michael Cleveland | 762-4200 | 343-1729 ext 207 | 585-813-5319 |
|-------------------|----------|------------------|--------------|

Local Emergency Services

| | | | |
|-------------------------------------|--|----------|--|
| Genesee County Emergency Management | | 344-0078 | |
|-------------------------------------|--|----------|--|

Local Planning Board

| | | | |
|--------------------------|----------|----------|--|
| Kathy Jasinski, Chairman | 762-8239 | 343-1729 | |
|--------------------------|----------|----------|--|

Local Health Department

| | | | |
|----------------------------------|--|----------|--|
| Genesee County Health Department | | 344-8506 | |
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LOGISTICS SECTION COORDINATOR:

| <u>HOME#</u> | <u>BUSINESS#</u> | <u>CELL#</u> |
|---------------------|-------------------------|---------------------|
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Local Emergency Services

Genesee County Emergency Management 344-0078

Highway Operations

Thomas Lichtenthal 343-1729 ext 218 585-356-7153

Town Clerk

Teressa M. Morasco 343-1729 ext 203 585-356-7867

FINANCE/ADMINISTRATION SECTION COORDINATOR:

Fiscal Officer

Gregory H. Post 343-2088 343-1729 716-474-3216

Town Accountant

Laura Landers, Freed, Maxick & Battaglia 344-1967

Town Justices

Michael Cleveland 762-4200 343-1729 ext 216 585-813-5319

Thomas Williams 343-2764 343-1729 ext 216 585-300-3612

Town Clerk

Teressa M. Morasco 343-1729 ext 203 585-356-7867

RESOLUTION NO. 32:

Councilman Gerace offered the following:

AUTHORIZING BUDGET TRANSFERS FOR 2010

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

General Fund:

| From | Amount | To |
|--|----------|--|
| A1010.402 Town Board/Contr./Underhill | 2.00 | A1010.102 Town Board/P.S./Underhill |
| A1110.104 Justices/P.S./ P.T. | 1197.00 | A1110.103 Justices/P.S./Full Time |
| A1110.104 Justices/P.S./ P.T. | 303.00 | A1110.105 Justices/Security/Williams |
| A1110.201 Justices/Equipment/Cleveland | 1300.00 | A1110.402 Justices/Contr./Cleveland |
| A1110.106 Justices/P.S./Cleveland | 52.00 | A1110.402 Justices/Contr./Cleveland |
| A1110.200 Justices/Equipment/Williams | 160.00 | A1110.401 Justices/Contr./Williams |
| A1220.402 Supervisor/Secretary/Contr. | 746.00 | A1220.120 Supervisor/P.S./OT |
| A1220.401 Supervisor/Bookkeeper/Contr. | 1662.00 | A1220.400 Supervisor/Contr. |
| A1410.100 Town Clerk/P.S. | .06 | A1330.100 Tax Collector/P.S./Morasco |
| A1330.400 Tax Collector/Contr. | 34.00 | A1330.101 Tax Collector/P.S./Deputy |
| A1355.200 Assessor/Equipment | 1000.00 | A1355.100 Assessor/ P.S. |
| A1355.103 Assessor/P.S./PT Assistant | 574.00 | A1355.400 Assessor/Contr. |
| A1355.103 Assessor/P.S./PT Assistant | 402.00 | A1355.100 Assessor/ P.S. |
| A1411.100 Clerk-Typist/P.S. | 5555.00 | A1355.100 Assessor/ P.S. |
| A1410.200 Town Clerk/Equipment | 1423.00 | A1355.100 Assessor/ P.S. |
| A1410.200 Town Clerk/Equipment | 420.00 | A1410.101 Town Clerk/P.S./P.T. |
| A1410.200 Town Clerk/Equipment | 94.00 | A1410.400 Town Clerk/Contr. |
| A1420.404 Attorney/Contr./Assess. Lit. | 6174.00 | A1420.403Attorney/Contr./Union |
| A1440.400Engineering/Contr. | 448.00 | A1440.200 Engineering/Equipment |
| A1620.404 Buildings/Contr. | 5255.00 | A1620.200 Buildings/Equipment |
| A1620.400 Building/Contr./Utilities | 64.00 | A1620.401 Buildings/Cont/Telephone |
| A1620.400 Buildings/Contr./Utilities | 277.00 | A1620.402 Buildings/Contr./Other Exp. |
| A1620.400 Buildings/Contr./Utilities | 2424.00 | A1620.403 Buildings/Contr./Bldg-Janitorial |
| A1620.404 Buildings/Contr. | 12730.00 | A1680.200 Central Data Processing/Equip. |
| A1680.400 Central Data Processing/Contr. | 1968.00 | A1680.402 Central Data |

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| | | Processing/Web-Net. |
| A1680.401 Central Data Processing/Maint. | 1861.00 | A1680.402 Central Data Processing/Web-Net. |
| A1620.402 Buildings/Contr./Other Exp. | 3934.00 | A1680.402 Central Data Processing/Web-Net. |
| A3620.200 Bldg.-Safety/Equipment | 3835.00 | A3620.120 Bldg.-Safety/P.S./OT |
| A1410.100 Town Clerk/P.S. | .06 | A4020.100 Public Health/Reg. Vital Stat./P.S. |
| A5132.400 Garage/Contr./Utilities | 2504.00 | A5182.400 Street Lighting/Contr. |
| A5132.400 Garage/Contr./Utilities | 870.00 | A5182.401 Street Lighting/Contr./Vet. Mem. |
| A7110.200 Culture-Rec./Parks/Equipment | 300.00 | A7110.400 Culture-Rec./Parks/Contr. |
| A5010.100 Trans./Super of Highways/P.S. | 266.00 | A5010.400 Trans./Super of Highways/Contr. |
| A5010.100 Trans./Super of Highways/P.S. | 84.00 | A7110.102 Culture-Rec./Parks/P.S.-P.T. |
| A5010.100 Trans./Super of Highways/P.S. | 45.00 | A7110.400 Culture-Rec./Parks/Contr. |
| A5010.100 Trans./Super of Highways/P.S. | 514.00 | A7110.401 Cul.-Rec./Parks/Contr.-Galloway |
| A8010.401 Home-Comm./ZBA/Legal | 100.00 | A8010.102 Home-Comm./ZBA/P.S. |
| A8020.102 Home-Comm./Planning/BD | 175.00 | A8020.101 Home-Comm./Planning/Sec. |
| A8020.102 Home-Comm./Planning/BD | 550.00 | A8020.401 Home-Comm./Plan/Contr./Legal |
| A3310.400 Public Safety/Traffic /Contr. | 1156.00 | A8162.100 Transfer Station/P.S. |
| A3310.400 Public Safety/Traffic /Contr. | 196.00 | A8162.101 Transfer Station/P.S. |
| A3310.400 Public Safety/Traffic /Contr. | 4279.00 | A8162.400 Transfer Station/Contr. |
| A8165.407 Superfund/Contr./Leachate Trans | 483.00 | A8165.406 Superfund/Contr./Post Cl. Maint. |
| A9060.800 Emp. Benefits/Health Ins. | 3100.00 | A9010.800 Emp. Benefits/Retirement |
| A9030.800 Emp. Benefits/Retirement | 6445.00 | A9010.800 Emp. Benefits/Retirement |
| A9055.800 Emp. Benefits/Disability Ins. | 1900.00 | A9010.800 Emp. Benefits/Retirement |
| A9060.801 Emp. Bene./ Ins. -Med Exp. | 80.00 | A9050.800 Emp. Benefits/Unemp. Ins. |
| A9060.801 Emp. Bene./ Ins. -Med Exp. | 4920.00 | A9010.800 Emp. Benefits/Retirement |
| A8540.401 Comm Drainage/Contr./Env. Dr. | 19525.00 | A9010.800 Emp. Benefits/Retirement |
| A1110.102 Justices/P.S./Cleveland | .04 | A1110.101 Justices/P.S./Williams |
| A1620.400 Buildings/Contr./Utilities | 3934.00 | A1620.402 Buildings/Contr./Other Exp. |
| A9089.801 Emp. Benefit/Staff Dev./Eye | 1563.00 | A9089.800 Emp. Benefit/Staff Dev./In Lieu of |
| A1680.402 Buildings/Equipment/Other | 2273.00 | A1680.200 Central Data Processing/Equip. |

Highway

| | | |
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| DA5142.100 Trans./Snow Removal/P.S | 7733.00 | DA5110.100 Trans./General Repairs/P.S. |
| DA5142.100 Trans./Snow Removal/P.S. | 746.00 | DA5140.100 Trans./Brush-Weeds/P.S. |
| DA5110.400 Trans./General Repairs/Contr. | 21869.00 | DA5142.400 Trans./Snow Removal/Contr. |
| DA5110.400 Trans./General Repairs/Contr. | 582.00 | DA5140.400 Trans./Snow Removal/Contr. |
| DA9050.800 Trans./Emp. Benefit/Unemp. | 3647.00 | DA9060.800 Trans./Emp. Benefit/Health Ins. |

Sewer District 1

| | | |
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| SS1-8120.405 S.S. /Contr./Repair Reserve | 16178.00 | SS1-8120.102 S.S./P.S./Part Time |
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| SS1-8120.406 | S.S./Contr./Sewer Replace | 6000.00 | SS1-8120.102 S.S./P.S./Part Time |
| SS1-8120.407 | S.S./Contr./Capital City | 1654.00 | SS1-8120.102 S.S./P.S./Part Time |
| SS1-8120.407 | S.S./Contr./Capital City | 3346.00 | SS1-8120.400 Sanitary Sewers/Contr. |
| SS1-8120.401 | S.S./Contr./Legal Svc. | 704.00 | SS1-8120.400 Sanitary Sewers/Contr. |
| SS1-9010.800 | Emp. Benefits/Retirement | 845.00 | SS1-9030.800 Emp. Benefit/Social Security |
| SS1-1910.400 | Special Item/Unallocated Ins. | 956.00 | SS1-9030.800 Emp. Benefit/Social Security |
| SS1-8110.120 | Sewer Admin./P.S./OT | 163.00 | SS1-8120.103 S.S./P.S./Morrow |
| SS1-8110.200 | Sewer Admin./Equipment | 1500.00 | SS1-8120.400 Sanitary Sewers/Contr. |
| SS1-8110.400 | Sewer Admin./Contr. | 450.00 | SS1-8120.400 Sanitary Sewers/Contr. |
| SS1-8110.401 | Sewer Admin./Backflow C.S. | 1122.00 | SS1-8120.400 Sanitary Sewers/Contr. |
| SS1-8120.104 | S.S./P.S./Barrett | 636.00 | SS1-8120.400 Sanitary Sewers/Contr. |
| SS1-8120.105 | S.S./P.S./Longevity | 60.00 | SS1-8120.400 Sanitary Sewers/Contr. |
| SS1-8120.101 | S.S./P.S./Mountain | 2.00 | SS1-8120.400 Sanitary Sewers/Contr. |
| SS1-9089.800 | Emp. Benefit/Eye | 100.00 | SS1-9060.800 Emp. Benefit/Health Ins. |
| SS1-8120.401 | S.S./Contr./Legal Svc. | 119.00 | SS1-9060.800 Emp. Benefit/Health Ins. |

Sewer District 2

| | | | |
|--------------|---------------------------|---------|---|
| SS2-8110.400 | Sewer Admin./Contr. | 239.00 | SS2-8110.401S. Admin/Contr./Backflow C.S. |
| SS2-8120.102 | S.S./P.S. Part Time | 17.00 | SS2-8120.101S.S./P.S./Mountain |
| SS2-8120.102 | S.S./P.S. Part Time | 441.00 | SS2-8120.103 S.S./P.S./Morrow |
| SS2-9060.800 | Emp. Benefit/Health Ins. | 567.00 | SS2-9010.800 Emp. Benefit/State Retirement |
| SS2-9089.800 | Emp. Benefit/Eye | 99.00 | SS2-9010.800 Emp. Benefit/State Retirement |
| SS2-8120.200 | Sanitary Sewers/Equipment | 7000.00 | SS2-9710.601 Debt Svc/Serial Bond/Saile Dr. |
| SS2-8120.400 | Sanitary Sewers/Contr. | 1972.00 | SS2-9710.601 Debt Svc/Serial Bond/Saile Dr. |

Water

| | | | |
|------------|-------------------------------|---------|--|
| SW8340.102 | Trans.-Dist./P.S./P.T. | 6464.00 | SW8310.401Water Admin./Contr./Backflow |
| SW8340.102 | Trans.-Dist./P.S./P.T. | 1302.00 | SW8340.400 Trans.-Dist./Contr. |
| SW8340.104 | Trans.-Dist./P.S./Barrett | 2848.00 | SW8340.103 Trans.-Dist./P.S./Morrow |
| SW8340.104 | Trans.-Dist./P.S./Barrett | 3.00 | SW8340.101 Trans.-Dist./P.S./Mountain |
| SW9010.800 | Emp. Benefit/State Retirement | 7528.00 | SW9060.800 Emp. Benefit/Health Ins. |

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

RESOLUTION NO. 33:

Councilman Lang offered the following:

BIDS FOR TRANSFER STATION

RESOLVED, the Town of Batavia will receive sealed bids for refuse removal at the Town of Batavia Transfer Station.

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FURTHER RESOLVED, interested bidders may obtain service specifications from the Batavia Town Hall, 3833 West Main Street Road, Batavia, New York 14020, or by contacting the Town Clerk's Office. All bids must be received by 10:00A.M. on Wednesday, February 9, 2011 at the Batavia Town Hall. Bids will be opened at that time. All bids must be accompanied by a non-collusion statement in order to be considered. The Town of Batavia reserves the right to reject any and all bids.

Second by: Councilman Gerace

Ayes: Lang, Gerace, Michalak, Underhill

APPROVED by unanimous vote (4-0)

NOTICE TO BIDDERS

The Town of Batavia will receive sealed bids for refuse removal at the Town of Batavia Transfer Station.

Interested bidders may obtain service specifications from the Batavia Town Hall, 3833 West Main Street Road, Batavia, New York, 14020 or by contacting the Town Clerk's Office at 343-1729. All bids must be received by 10:00 A.M. on Wednesday, February 9, 2011 at the Batavia Town Hall. Bids will be opened at that time. All bids must be accompanied by a non-collusion statement in order to be considered.

The Town of Batavia reserves the right to reject any and all bids.

Dated: January 19, 2011

Teresa M. Morasco
Batavia Town Clerk

**REFUSE REMOVAL FROM THE TRANSFER STATION
AT THE TOWN OF BATAVIA
LOCATED ON HARLOFF RD, BATAVIA, NEW YORK**

SERVICE SPECIFICATIONS

1. To provide three (3) thirty (30) yard roll-off containers to the Town of Batavia Transfer Station located at 3381 Harloff Road.
2. Remove full container and replace with empty container in a prompt and reasonable time, when notified by the Town.
3. Supply the Town of Batavia with all related costs and rules and/or regulations for the containers.
4. Insurance Requirements:
 1. General Liability – One million per occurrence, two million aggregate.
 2. Auto - One million combined single limit
 3. Workers Compensation and New York State Disability per statutory requirements.
 4. Waiver of Subrogation for the Town.

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5. Town of Batavia named as additional insured for General and Auto on Certificate of Liability Insurance.
5. By State Law, the Contractor must pay minimum prevailing wages; copies of which will be provided by the Town.
6. Certified payrolls must be submitted with invoice/voucher.

All bids must be sealed in an envelope marked: **“Sealed Bid for Removal of Refuse”**. Bidders must include with their bid a certificate of non-collusion. All bids must be received by 10:00 A.M. on Wednesday, February 9, 2011 at the Batavia Town Hall, 3833 West Main Street Road, Batavia, New York, at which time all bids received will be opened publicly and read aloud. The Town of Batavia reserves the right to reject any and all bids. Successful contract shall commence on March 1, 2011 for a period of one (1) year.

RESOLUTION NO. 34:

Deputy Supervisor Underhill offered the following:

**PURCHASE OF TOSHIBA
TOSHIBA E-STUDIO 2830C COLOR COPIER/ PRINTER/FAX/SCANNER**

RESOLVED, the Batavia Town Board hereby authorizes the purchase, of a Toshiba E-Studio Color Copier, Printer, Fax and Scanner System from Toshiba Business Solution at a cost of \$9,638.00, New York State Contract number PC59471 (proposal attached) for the Town Hall Office; and be it

FURTHER RESOLVED, the Town Board also authorizes the purchase of the annual maintenance agreement at a cost of \$79.20 per month, based on 8,000 black images per month, with overages being billed at \$.0099 and \$54.00 per month for color images, with overages being billed at \$.0675 per copy; and be it

FURTHER RESOLVED, the Toshiba Studio 351C Copier will be transferred to the Highway Facility.

Second by: Councilman Lang

Ayes: Underhill, Lang, Michalak, Gerace

APPROVED by unanimous vote (4-0)

RESOLUTION NO. 35:

Councilwoman Michalak offered the following:

**RESOLUTION TO CONCUR - VILLAGE OF OAKFIELD AS LEAD AGENCY FOR THE
VILLAGE OF OAKFIELD – REPLACEMENT OF WATER TANK AND TRANSMISSION
MAIN PROJECT**

WHEREAS, the Village of Oakfield wishes to assume Lead Agency status for the proposed Water Storage Tank and Transmission Main, located in the Village of Oakfield and Towns of Oakfield and Batavia; and

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WHEREAS, the Batavia Town Board does not object to the Village of Oakfield assuming this role; and

WHEREAS, the Town of Batavia will be taking dedication of the facilities constructed in the Town of Batavia and therefore requests from the Village that the Town be involved in the design and construction approval process (see attached letter).

NOW, THEREFORE BE IT,

RESOLVED, the Batavia Town Board hereby authorizes the Supervisor to send the attached letter concurring with the Village of Oakfield acting as Lead Agency for the proposed Water Storage Tank and Transmission Main, located in the Village of Oakfield and Towns of Oakfield and Batavia.

Second by: Councilman Gerace

Ayes: Michalak, Gerace, Lang, Underhill

APPROVED by unanimous vote (4-0)

RESOLUTION NO. 36:

Councilman Gerace offered the following:

RESOLUTION AUTHORIZING RADIO READ EQUIPMENT FOR SENSUS METERS

WHEREAS, the Town of Batavia has standardized on Sensus meter reading equipment for water/sewer usage in all residential /commercial places; and

WHEREAS, a quotation for 1,198 radio transmitters (MXU's) for the existing meters (attached) was received for an amount of \$135,134.07 representing an approximate savings of \$25,000; and

WHEREAS, it will be most beneficial and cost effective to purchase and install these radio transmitters for the remainder of the system rather than budgeting annually; and

WHEREAS, having the entire system fitted with the radio transmitters will allow more efficient leak detection for the Town's system as well as the customer's system.

NOW, THEREFORE, BE IT

RESOLVED, the Batavia Town Board hereby authorizes the purchase of 1,198 radio transmitters for an amount of \$135,134.07 to be

Second by: Councilman Lang

Ayes: Gerace, Lang, Michalak, Underhill

APPROVED by unanimous vote (4-0)

SUSPEND THE RULES-Motion Councilman Gerace, second Councilman Lang to suspend the rules to introduce additional resolutions.

Ayes: Gerace, Lang, Michalak, Underhill

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MOTION CARRIED by unanimous vote (4-0)

RESOLUTION NO. 37:

Councilman Lang offered the following:

**RESOLUTION TO PROVIDE LOCAL SHARE FOR
PROPOSED BATAVIA NORTH – EAST/WEST OF RTE. 98 WATER DISTRICT
PROPOSED CREEK ROAD WATER DISTRICT
PROPOSED PRATT ROAD WATER DISTRICT**

Whereas, the Batavia Town Board intends to submit *Initial Applications* to Rural Development (RD) for funding to enable the Town to extend public water to serve three proposed new water districts, and

Whereas, Rural Development has implemented a new procedure and now rates and scores proposed projects based on various scoring criteria which is used to rank projects by priority for funding consideration, and

Whereas, the Town Board is committed to taking steps to increase the rating scores and the projects' competitive chances to obtain funding from RD, and

Whereas, in order to receive additional priority points, applicants must commit to providing a minimum of 5 percent of the funding of the total project capital cost from some source other than Rural Development,

Now Therefore Be It Resolved that the Town Board hereby commits that it will provide not less than five (5) percent of the total capital cost of each project as follows,

| Project Name | Total Capital Cost | Amount to be provided by Town of Batavia equal to 5% of total cost |
|------------------------------|---------------------------|---|
| Batavia North Water District | \$5,167,400 | \$258,370 |
| Creek Road Water District | \$1,366,700 | \$68,335 |
| Pratt Road Water District | \$1,037,000 | \$51,850 |

Be It Further Resolved that such local funds will be borrowed from the Town for the aforementioned public water projects and the amount borrowed for each project will be repaid by property owners within their respective water district.

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

RESOLUTION NO. 38:

Deputy Supervisor Underhill offered the following:

**JANUARY 19, 2011
REGULAR TOWN BOARD MEETING**

**MAINTENANCE AGREEMENT
STUDIO 351C DIGITAL COLOR COPIER/ PRINTER/SCANNER**

RESOLVED, the Batavia Town Board hereby authorizes the renewal of the annual maintenance agreement for the Toshiba Studio 351C Digital Color Copier, Printer, and Scanner at a cost of \$237.60/year, based on 24,000 images per year and \$211.20/year, for color copies, based on 24,000 images per year, with overages being billed at \$.0099 and color copies being billed at \$.088 per copy (agreement attached); and be it

FURTHER RESOLVED, agreement is based on the anticipated lower volume of use in the Highway Facility; and be it

FURTHER RESOLVED, said agreement is effective February 1, 2011 and will expire January 31, 2014.

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

Abstract No. 13-2010 & 1-2011: Motion Councilman Gerace, second Councilwoman Michalak to authorize the Supervisor to pay the following vouchers:

Abstract #13-2010

| | |
|-----------------|-------------------|
| General | \$38,826.99 |
| Highway | 25,809.05 |
| Sewer No. 1 | 2,585.20 |
| Sewer No. 2 | 1,327.19 |
| Water | 123,226.54 |
| Wortendyke Road | 8,665.00 |
| Saile Drive | 1,375.00 |
| Park Road | 37,164.47 |
| Total | 238,979.44 |

Check numbers 15520 thru 15547, 15549 thru 15582, online \$473.96

Abstract #1-2011

| | |
|--------------|---------------------|
| General | \$158,022.87 |
| Highway | 36,074.63 |
| Sewer No. 1 | 739.98 |
| Sewer No. 2 | 6,113.68 |
| Water | 5,571.78 |
| Creek Road | 675.00 |
| Batavia Fire | 722,829.00 |
| Total | \$930,026.94 |

**JANUARY 19, 2011
REGULAR TOWN BOARD MEETING**

Check numbers 15583 thru 15636, 15638

Ayes: Gerace, Michalak, Lang, Underhill

MOTION CARRIED by unanimous vote (4-0)

DEPARTMENT REPORTS:

The Deputy Supervisor reported for the Supervisor who was unable to attend this evening because he is not feeling well:

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 at tomorrow evening at 7:00 P.M. at the Town of Stafford.

SNOW PLOW PURCHASE FOR F250- Motion Councilman Lang, second Councilman Gerace authorizing the purchase of a snow plow for the 2011 Ford F250, at a cost of \$3,982.00 from Unicell, 15 Holt Street, Buffalo, New York, expenditure line item #DA5130.200.

Ayes, Lang, Gerace, Michalak, Underhill

MOTION CARRIED by unanimous vote (4-0)

ASSESSOR TAX GRIEVANCE CONFERENCE- Motion Councilman Lang, second Councilwoman Michalak authorizing the Assessor Trainee to attend the Tax Grievance Conference January 31, 2011 and the Mediator's Forum February 1, 2011 at the Desmond Hotel and Conference Center in Albany.

Ayes: Lang, Michalak, Gerace, Underhill

MOTION CARRIED by unanimous vote (4-0)

BUILDING INSPECTOR CONFERENCE - Motion Councilman Lang, second Councilman Gerace authorizing the Building Inspector and the Code Enforcement Officer to attend the Finger Lakes Building Officials Annual Conference (FLBOA) March 14 through March 17, 2011 at a cost of \$390.00 each.

Ayes: Lang, Gerace, Michalak, Underhill

MOTION CARRIED by unanimous vote (4-0)

COMMUNICATIONS:

Town Clerk reported on the following:

December Town Clerk monthly report collected a total of \$4,482.11 remitted \$4,379.71, which includes the County and NYS portion, to the Supervisor for the Local Share.

Dog Control Officer (DCO) Inspection Report & Municipal Shelter (MS) Inspection Report- Received DCO Inspection Report and MS Inspection Report from New York State Agricultural & Market.

COMMITTEE REPORTS:

Parks- Councilman Gerace reported that within the next couple of weeks the Park Committee will be meeting again.

JANUARY 19, 2011
REGULAR TOWN BOARD MEETING

ADJOURNMENT:

Motion Councilwoman Michalak, second Councilman Lang to adjourn the Regular Town Board Meeting at 7:27 P.M.

Ayes: Michalak, Lang, Gerace, Underhill

MOTION CARRIED by unanimous vote (4-0)

Respectfully submitted,

Teressa M. Morasco
Town Clerk