

**SEPTEMBER 12, 2012
REGULAR TOWN BOARD MEETING**

Kiwanis Park

5:30 P.M.

Gregory Post, Supervisor led the pledge to the flag.

Roll Call

Present: Supervisor Post
Deputy Supervisor Underhill
Councilman Lang
Councilwoman Michalak
Councilman Zambito

Others

Present: Assemblyman Stephen Hawley
John T. O'Brien and many of his family and friends
Rubie Levins, Past Town Clerk
Teresa Morasco, Steve Mountain, Tom Lichtenthal, Sandy Baubie, Hiedi Librock,
Mickey Morrow, Mary Cordes, Jason Armbrewster, Dan Lang, Kathy Jasinski, Gordon
Offhaus, Sharon White, Doug Smart, Gary Diegelman, Joyce Diegelman-Town Staff
Dustin Hofmann, Town of Batavia Fire Department Vice President
George Squires and Elizabeth Bentley-Huber, Genesee County Soil & Water
Roger Muehlig, Daily News Reporter
Jeff Redick , WBTA Radio
YNN Reporter

The Supervisor called the meeting to order at 5:35 P.M.

August 15, 2012 Public Hearing-CDBG Grant: Motion Deputy Supervisor Underhill, second Councilman Lang to approve the minutes as written.

Ayes: Underhill, Lang, Michalak, Zambito, Post

MOTION CARRIED by unanimous vote (5-0)

August 15, 2012 Regular Town Board Meeting: Motion Councilwoman Michalak, second Deputy Supervisor Underhill to approve the minutes as written.

Ayes: Michalak, Underhill, Post

Abstain: Zambito, Lang

MOTION CARRIED (3-ayes, 2- abstain)

RESOLUTION NO. 149:

Councilman Lang offered the following:

**DEDICATION
KIWANIS PARK CANOE LAUNCH**

WHEREAS, John T. O'Brien, has faithfully and conscientiously served this municipality and community for over forty years; and;

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WHEREAS, John, along with a member of the Kiwanis Club, originally suggested the project and was instrumental in the beginning concept as early as 1971 of Kiwanis Park; and

WHEREAS, Mr. O'Brien's love for our Town is measured in the superior efforts he has made for our residents and for the general welfare of the community; he is the kind of person that has never sought recognition; and

WHEREAS, John began as a member of the Planning Board in 1972 and appointed Chairman in 1974; and

WHEREAS, he was influential in the continued efforts to develop the park and in 1975-1976 the Kiwanis Club declared the project as its Major Emphasis Program; and

WHEREAS, John continued in his efforts by encouraging funding from many different sources as well as encouraging volunteers from Kiwanis and the Town and to persons of the community to share their talents in bringing this superior recreational facility to its potential; and

WHEREAS, Kiwanis Park was originally dedicated June 25, 1981; and

WHEREAS, the canoe and boat launch had been deleted from the original project due to lack of funding; Mr. O'Brien still had dreams of it as a part of the facility; and

WHEREAS, he has worked behind the scenes with the Tonawanda Creek Watershed Committee and others, including the Town of Batavia to help this dream come true; and

WHEREAS, it is appropriate for the Town of Batavia to recognize him for over 24 years of service to the Town Planning Board by dedicating the Kiwanis Park Canoe Launch in his name.

NOW, THEREFORE, BE IT

RESOLVED, the Kiwanis Park Canoe Launch be named the John T. O'Brien Canoe Launch; and be it further

RESOLVED, the Town of Batavia expresses everlasting thanks to John T. O'Brien for his loyal service to the community by dedicating this canoe launch in his name.

Second by: Deputy Supervisor Underhill

Ayes: Lang, Underhill, Michalak, Zambito, Post

APPROVED by unanimous vote (5-0)

Supervisor Post thanked Mr. O'Brien for taken him for a ride 32 years ago and getting him involved. n Mr. O'Brien is a great role model and the Supervisor supports this dedication.

Assemblyman Stephen Hawley presented Mr. O'Brien with a proclamation.

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RESOLUTION NO. 150:

Deputy Supervisor Underhill offered the following:

**RESOLUTION AUTHORIZING APPLICATION FOR FUNDS FROM THE
2012 JUSTICE COURT ASSISTANCE PROGRAM**

RESOLVED, the Batavia Town Board hereby authorizes Town Justices Michael Cleveland and/or Thomas Williams to file an application for funding from the New York State Office of Court Administration 2012 Justice Court Assistance Program for equipment and/or office supplies for the court.

Second by: Councilman Lang

Ayes: Underhill, Lang, Michalak, Zambito, Post

APPROVED by unanimous vote (5-0)

RESOLUTION NO. 151:

Supervisor Post offered the following:

JANITORIAL SERVICES

RESOLVED, the Batavia Town Board hereby retains New York State Industries for the Disabled, Inc., who represents Genesee County ARC, to perform janitorial services at the Batavia Town Hall, 3833 West Main Street Road, Batavia, New York, effective from July 1, 2012 to June 30, 2013 at a monthly cost of one thousand, six hundred, seventy-one dollars and sixteen cents (\$1,671.16) and be it

FURTHER RESOLVED, the Supervisor is hereby authorized to execute the attached proposal; and be it

FURTHER RESOLVED, that Genesee County ARC must provide the Town of Batavia a Certificate of Liability Insurance and a Certificate of Workers Compensation Insurance naming the Town as additional insured, and be it

FURTHER RESOLVED, the specifications for the cleaning of the Town Hall is attached.

Second by: Councilman Deputy Supervisor

Ayes: Post, Underhill, Michalak, Zambito, Lang

APPROVED by unanimous vote (5-0)

**TOWN OF BATAVIA
SPECIFICATIONS
FOR
JANITORIAL SERVICES**

1. SERVICE LOCATION - Batavia Town Hall, 3833 West Main Street Road, Batavia,

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New York, 14020

2. SERVICES:

- a. Clean sinks, toilets and mirrors.
- b. Refill toilet paper, towel and soap dispensers. (Town to provide supplies).
- c. Empty wastebaskets; place trash in bags provided by the Town.
- d. Clean conference tables, lobby table, windowsills, baseboards, chairs, door trim and doors-so as to be free of dust and dirt.
- e. Vacuum all rugs and spot clean when necessary.
- f. Front lobby and bathroom floors to be kept free of dust and dirt, and proper finishes applied (as necessary).
- g. Sweep entrances.
- h. All windows with blinds are to be dusted bi-weekly and washed when necessary.
- I. Wash interior and exterior windows two (2) times per year; Spring and Fall. Clean all glass entrance doors and interior doors with glass weekly.
- j. Clean light fixtures (as needed).
- k. Painted surfaces to be cleaned and free of fingerprints and black marks. Walls and ceilings to be free of cob webs.

3. SCHEDULE:

Services to be provided on a semi-weekly basis two (2) times per week on days and times agreed by vendor and Town, and with provision for holidays to be made on an occurrence basis.

4. CLEANING MATERIALS:

Vendor will provide all cleaning materials necessary to provide the required services as specified above.

5. INSURANCE REQUIRED:

Throughout the full term specified, the vendor is required to maintain, and provide evidence to the Town of a public liability insurance policy with a minimum three-hundred thousand dollar (\$300,000.00)

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single limit insuring the contractor (vendor) and Town for all operations performed under the agreement.

6. TERM AND EFFECTIVE DATES:

The term during which the specified services are to be provided is for a six month (6) year period; effective dates are July 1, 2012 through June 30, 2013 inclusive.

ABSTRACT 9-2012 will be approved at the Special Town Board Meeting on September 26, 2012

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 15%.

September Special Town Board Meeting - There will be a special Town Board Meeting on September 26 to pay the bills and for other unfinished Town Business.

GAM- The next GAM meeting will be Thursday, September 20, 2012 at 7:00 P.M., hosted by the Town of Bethany, at the Bethany Community Center.

COMMUNICATIONS:

The Town Clerk reported on the following:

August Town Clerk monthly report collected a total of \$10,168.60, remitted \$5,149.62 to the Supervisor for the Local Share.

Kiwanis Park Donation- Received a donation from Kelly Natalizia for use of the Kiwanis Park and the Clerk sent a letter of thanks to her on behalf of the Town.

Genesee ARC is having an open house of their Trash & Recycling Center on Thursday, September 27 from 4:30 P.M. to 7:00 P.M. at their new location, 3785 West Main Street Road.

GFLRPC Fall 2012 Workshop will be November 16. Town personnel have been advised of this training.

COMMITTEE REPORTS:

Parks- Councilwoman Michalak reported that the Community has expressed an interest in providing public play area specifically designed for children and adults with disabilities. The Park Committee has been diligently working on developing the first fully accessible public park that includes adaptive and traditional playground equipment for all families in the Upstate New York area that have children or adults with and without disabilities. Locally the project will provide recreational opportunities over 400 children and adults that have developmental disabilities. The Project, "Inclusive Interplay Community Park Project", will be designed and built at Kiwanis Park as a collaborated effort between the Town of Batavia and Genesee ARC, along with the Town of Batavia Fire Department, Service Clubs, Businesses, and volunteers. The Town of Batavia is very proud to unveil its context to you today. If anyone is interested in assisting with the Project, please contact Councilwoman Michalak at the Town Hall.

RECESS -Motion was made by Deputy Supervisor Underhill, seconded by Councilman Lang to take a short recess at 5:50 P.M. to visit the canoe launch, present Mr. O'Brien with Town proclamation and have refreshments.

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Ayes: Underhill, Lang, Michalak, Zambito, Post
MOTION CARRIED by unanimous vote (5-0)

RECONVENE -Motion was made by Deputy Supervisor Underhill, seconded by Councilman Lang to reconvene at 6:20 P.M.

Ayes: Underhill, Lang, Michalak, Zambito, Post
MOTION CARRIED by unanimous vote (5-0)

ADJOURNMENT:

Motion Deputy Supervisor Underhill, second Councilman Lang to adjourn the Regular Town Board Meeting at 6:22 P.M.

Ayes: Underhill, Lang, Michalak, Zambito, Post
MOTION CARRIED by unanimous vote (5-0)

Respectfully submitted,

Teresa M. Morasco
Town Clerk