

**AUGUST 7, 2013
SPECIAL TOWN BOARD MEETING**

Town Hall

5:00 P.M.

Greg Post, Supervisor led the pledge to the flag.

Roll Call

Present: Supervisor Post
Deputy Supervisor Underhill
Councilman Lang
Councilwoman Michalak

Absent: Councilman Zambito

Others

Present: Town Clerk Morasco
Roger Muehlig, Daily News Reporter

The Supervisor called the meeting to order at 5:19 P.M.

RESOLUTION NO. 131:

Councilman Lang offered the following:

**RESOLUTION TO APPROVE SANITARY SEWER EASEMENTS
FOR THE WEST MAIN STREET ROAD SANITARY SEWER DISTRICT**

WHEREAS, the Town of Batavia has awarded the contract for the construction of sanitary sewer lines and appurtenances as part of the West Main Street Road Sanitary Sewer District, and

WHEREAS, the Contractor needs various easements in order to install these sewer lines, and

WHEREAS, the Town of Batavia needs these various easements in order to hereinafter operate and maintain these lines, and

WHEREAS, the required owners of real property have or will sign Sanitary Sewer Easements granted to the Town of Batavia.

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Batavia, New York, that certain Sanitary Sewer Easements granted by the owners of real property, as hereinafter set forth, running to the Town of Batavia are hereby approved and accepted with regard to the parcels of lands set forth in the Easements, and the Supervisor is hereby authorized to execute on behalf of the Town of Batavia any documents necessary to record the following Easements:

1. From Genesee County Chapter NYSARC, regarding Tax Map No. 7.-1-25.1, dated June 21, 2013; designated as "Sanitary Easement No. 2".
2. From Norman C. Hubbard Jr and Diane Hubbard, regarding Tax Map No. 7.-1-26,

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- dated July 17, 2013; designated as "Sanitary Easement No. 3".
3. From Richard A Saunders, Danny F Hunt, Roberta L. Maas, and Peter R Terbuska, regarding Tax Map No. 7.-1-27, dated July 8, 2013; designated as "Sanitary Easement No. 4".
 4. From Richard A Saunders, Danny F Hunt, Roberta L. Maas, and Peter R Terbuska, regarding Tax Map No. 7.-1-28, dated July 8, 2013; designated as "Sanitary Easement No. 5".
 5. From Diegelman Motors Inc, regarding Tax Map No. 7.-1-29, dated July 16, 2013; designated as "Sanitary Easement No. 6".
 6. From S.F.R. Property LLC, regarding Tax Map No. 7.-1-31.1, dated June 17, 2013; designated as "Sanitary Easement No. 7".
 7. From Perry Holding LLC, regarding Tax Map No. 7.-1-32.1, dated July 1, 2013; designated as "Sanitary Easement No. 8".
 8. From Parise's Auto & Towing, Inc, regarding Tax Map No. 7.-1-36, dated June 19, 2013; designated as "Sanitary Easement No. 17".
 9. From Moe Soccio's Real Property LLC, regarding Tax Map No. 7.-1-42, dated July 1, 2013; designated as "Sanitary Easement No. 18".
 10. From Brittany L. Hein, regarding Tax Map No. 7.-1-46, dated July 31, 2013; designated as "Sanitary Easement No. 19".
 11. From Kelly J. Zanghi and David Zanghi, regarding Tax Map No. 7.-1-47, dated June 21, 2013; designated as "Sanitary Easement No. 20".
 12. From George W. Walker III and Barbara H. Walker, regarding Tax Map No. 7.-1-48, dated June 24, 2013; designated as "Sanitary Easement No. 21".
 13. From Steven D. Johnson, regarding Tax Map No. 7.-1-49, dated August 1, 2013; designated as "Sanitary Easement No. 22".
 14. From Michael K. King and Brenda M. King, regarding Tax Map No. 7.-1-50, dated June 28, 2013; designated as "Sanitary Easement No. 23".
 15. From Lawrence Reisdorf and Lorraine Reisdorf, regarding Tax Map No. 7.-1-51, dated June 27, 2013; designated as "Sanitary Easement No. 24".

Second by: Councilwoman Michalak

Ayes: Lang, Michalak, Underhill, Post

APPROVED by unanimous vote (4-0)

RESOLUTION NO. 132:

Deputy Supervisor Underhill offered the following:

**RESOLUTION TO AUTHORIZE THE PURCHASE OF FOUR PARCELS OF LAND
ALL LOCATED ON WEST MAIN STREET ROAD**

WHEREAS, the Town of Batavia has established the West Main Street Road Sewer District in the Town of Batavia, and

WHEREAS, the Town needs to acquire four parcels of land to locate pump stations as part of this

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Sewer District from the individuals named hereinafter, and

WHEREAS, the Town intends to offer to purchase these parcels for a fair market value, which has been calculated based upon similar purchases previously made by the Town for the same purposes.

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Batavia, New York, that the Supervisor of the Town is hereby authorized and directed to submit offers to the following individuals with the standard terms and conditions pursuant to four proposed "Purchase and Sale Contract for Lots and Vacant Land", and if accepted, to thereafter purchase on behalf of the Town these parcels:

- A. From Joseph and Sharon Garland for a purchase price of \$5,675.00, a parcel containing 0.016 acres, being part of commercial property located at 3532 West Main Street Road, in the Town of Batavia, also known as Tax Map No. 11-2-11, being further described in a Survey prepared by Welch & O'Donoghue, Land Surveyors, P.C., dated July 9, 2013, and designated as Job No. G12-3868S-3.
- B. From Dean Leffel for a purchase price of \$5,675.00, a parcel containing 0.152 acres, being part of commercial property located at 3476 West Main Street Road, in the Town of Batavia, also known as Tax Map No. 11-2-1, being further described in a Survey prepared by Welch & O'Donoghue, Land Surveyors, P.C., dated November 20, 2012, and designated as Job No. G12-3868S-1.
- C. From Deborah Jo Mancuso for a purchase price of \$5,675.00, a parcel containing 0.032 acres, being part of commercial property located at 3645 West Main Street Road, in the Town of Batavia, also known as Tax Map No. 7-1-33, being further described in a Survey prepared by Welch and O'Donoghue, Land Surveyors, P.C., dated July 3, 2013, and designated as Job No. G12-3868S-2R.
- D. From Call Farms, Inc. for a purchase price of \$5,675.00, a parcel containing 0.032 acres, being part of vacant farmland property located at West Main Street Road, in the Town of Batavia, also known as Tax Map No. 7-1-87.111, being further described in a Survey prepared by Welch and O'Donoghue, Land Surveyors, P.C., dated July 3, 2013, and designated as Job No. G12-3868S-2RR.

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

BE IT FURTHER RESOLVED that the Town Supervisor is hereby authorized and directed to allocate the money from the appropriate budget account that is necessary to purchase these four parcels for the prices as set forth herein.

Second by: Councilman Lang

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Ayes: Underhill, Lang, Michalak, Post
APPROVED by unanimous vote (4-0)

ADJOURNMENT:

Motion Deputy Supervisor Underhill, second Councilwoman Michalak to adjourn the Special Town Board Meeting at 5:22 P.M.

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

Respectfully submitted,

Teressa M. Morasco
Town Clerk