

MAY 20, 2020
REGULAR TOWN BOARD MEETING
VIA ZOOM CONFERENCING
Meeting ID: 959 4182 8159
Password: 457011

7:00 P.M.

Greg Post, Supervisor led the pledge to the flag.

Because of the Novel Corona virus (COVID-19) Pandemic and the State and Federal bans on large meetings or gatherings and pursuant to Governor Cuomo's Executive Order 202.1 issued March 12, 2020 suspending the Open Meeting Law, the Town of Batavia Town Board meeting was held electronically via ZOOM video conference/call conference instead of a public meeting open for the public to attend in person.

Roll Call

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

Others

Present: Town Clerk Morasco
Deputy Town Clerk Baubie
Secretary to the Supervisor Librock
Building Inspector Gerould
Alecia Kaus, Video News Service

The Supervisor called the meeting to order at 7:02 P.M.

Supervisor Post asked for a Moment of Silence to prayer for the family of the late Robert Smart. Mr. Smart began his career in the Town of Batavia Highway Department in 1964 and served as Highway Superintendent for many years. Supervisor Post had the pleasure of working with Mr. Smart for many years and commented on what an extraordinary man he was.

April 15, 2020 Regular Town Board Meeting: Motion Councilman Zambito, second Councilman Underhill to approve the minutes as written.

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

RESOLUTION NO. 90:

Councilwoman White offered the following:

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RESOLUTION AUTHORIZING WEST PROFLEX SUBSCRIPTION
WITH WEST PUBLISHING CORPORATION (Westlaw)

WHEREAS, the Town's subscription to the West Proflex from West Publishing Corporation (Westlaw) expires May 22, 2020; and

WHEREAS, the West Publishing Corporation provided a quote for West Proflex subscription at a cost of \$131.18 per month for one year.

NOW, THEREFORE, BE IT

RESOLVED, the Batavia Town Board hereby authorizes the Supervisor to subscribe to West Proflex Subscription from West Publishing Corporation, a Thomson Reuters business, for the Attorney for the Town to utilize, at a cost of \$131.18 per month for one year; and be it further

RESOLVED, the Supervisor is hereby authorized to execute the subscription order form, a copy of which is annexed hereto and made a part of the minutes.

Second by: Councilman Zambito

Ayes: White, Zambito, Underhill, Michalak, Post

APPROVED by unanimous vote (5-0)

RESOLUTION NO. 91:

Deputy Supervisor Underhill offered the following:

TRAINING WORKSHOP

RESOLVED, the Batavia Town Board hereby authorizes the following personnel to attend training workshops:

Brittany Witkop and Donald Partridge- Barton & Loguidice Siting Utility-Scale Solar Projects webinar (was) April 22, 2020. There was no cost for this training.

Jennifer Zambito- NYMIR University Webinar trainings on Working from Home, Active Shooter, Work Processes and Covid-19 Emergency Communication was completed on April 23, 2020. There was no cost for this training.

Sharon White- Applicant Briefing DR4480 FEMA Funding webinar (was) April 23, 2020. There was no cost for this training.

Teresa Morasco, Brittany Witkop, Brook Hawley, and Kathy Jasinski – NYS Division of Local Government Services Public Meetings and Hearings webinar (was) on April 29, 2020.

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Donald Partridge and Kathleen Jasinski – Community Design Center Rochester Placemaking 101 webinar (was) April 29, 2020. There was no cost for this training.

Brittany Witkop and Brooks Hawley- NYS Division of Local Government Services Land Use Moratoria webinar (was) on May 13, 2020. There was not cost for this training.

Sharon White- Small Wireless Facilities and 5G In NYS Webinar (was) May 14, 2020. There was no cost for this training.

Sharon White- What Employers Need to Know About Reopening Workplace, Hodgson Russ Labor & Employment Webinar.

Second by: Councilwoman White
Ayes: Underhill, White, Michalak, Zambito, Post
APPROVED by unanimous vote (5-0)

RESOLUTION NO. 92:

Supervisor Post offered the following:

FOURTH AMENDED
TOWNS OF BATAVIA AND ALEXANDER
ASSESSMENT SERVICES AGREEMENT

WHEREAS, the Town of Alexander, (hereinafter “Alexander”), and the Town of Batavia, (hereinafter “Batavia”), entered into a contract entitled “Towns of Batavia and Alexander Assessment Services Agreement”, dated August 1, 2012, and

WHEREAS, both Towns desire to continue this relationship, allowing Batavia to provide assessment services to Alexander, and

WHEREAS, Batavia has determined that it continues to have the ability to provide these services by making available the Batavia Town Assessor and any other support personnel needed, and

WHEREAS, the Batavia Town Assessor and any other personnel employed by Batavia will be and will continue to be during the term of this Agreement fully qualified as required by law to provide assessment services.

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Batavia, New York, that a proposed “Fourth Amended Towns of Batavia and Alexander Assessment Services Agreement”, a copy of which shall be annexed hereto and made part of the Town Board Minutes, is

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hereby approved and the Town Supervisor is authorized and directed to sign this Agreement on behalf of the Town of Batavia.

Second by: Councilwoman Michalak
Ayes: Post, Michalak, Zambito, White, Underhill
APPROVED by unanimous vote (5-0)

FOURTH AMENDED
TOWNS OF BATAVIA AND ALEXANDER
ASSESSMENT SERVICES AGREEMENT

THIS AGREEMENT made the _____ day of _____, 2020, by and between the **TOWN OF ALEXANDER**, a municipal corporation organized and existing under the Laws of the State of New York, having its principal office located at 3350 Church Street, Alexander, New York 14005, (hereinafter referred to as “Alexander”), and the **TOWN OF BATAVIA**, a municipal corporation organized and existing under the Laws of the State of New York, having its principal office located at 3833 West Main Street Road, Batavia, New York 14020, (hereinafter referred to as “Batavia”).

WHEREAS, pursuant to Article 5-G of the General Municipal Law, Alexander and Batavia are authorized to enter into an intermunicipal cooperative agreement for the provision of tax assessment services, and

WHEREAS, Batavia currently is employing an Assessor fully qualified to provide all assessment services as required by law, and

WHEREAS, Batavia intends to continue to maintain the position of Assessor and to provide any support staff necessary to assist her/him to perform assessment duties in both the Towns of Batavia and Alexander.

NOW, THEREFORE, in consideration of the mutual covenants and agreements contained herein, it is agreed as follows:

1. Batavia agrees to provide assessment services to Alexander and shall provide a qualified individual to perform said duties outlined herein. The person appointed as Assessor must satisfy the minimum qualification standards for real property assessors established by the State Board of Real Property Services.

2. The Assessor provided by Batavia shall be responsible for assessing all parcels of real property located in Alexander and in Batavia for the purposes of taxation and special ad valorem levies for town, county, special district and school district. The Assessor shall also oversee all other duties as

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required for assessors by the Real Property Tax Law and the rules of the State Board of Real Property Services. All real property shall be assessed at the same uniform percentage of market value in all of the assessing units participating in the Agreement throughout the term of the Agreement. Such percentage of market value shall be annually printed on the tentative assessment rolls for the participating assessing units.

3. The dates applicable to the assessment process in each municipality, including taxable status date, and the dates for the filing of the tentative and final assessment rolls, shall be the same.

4. The Assessor shall for all purposes be deemed an employee of Batavia. The Assessor shall not in any way be construed as an employee of Alexander. Batavia shall pay the Assessor's salary and make employer's contributions for retirement, social security, health insurance, worker's compensation, unemployment and other similar benefits.

5. Batavia shall indemnify and hold Alexander harmless from any claims made against Alexander by the Assessor, or any third party, arising out of any acts of misfeasance, malfeasance, or non-feasance by the Assessor in the performance of his/her duties while working for Batavia, including costs of settling any action and reasonable attorney's fees for defense. Alexander shall indemnify and hold Batavia harmless from any claims made against Batavia by the Assessor, or any third party, arising out of any acts of misfeasance, malfeasance, or non-feasance by the Assessor in the performance of his/her duties while working for Alexander, including costs of settling any action and reasonable attorney's fees for defense. Each party will provide the other with timely notice of any claims and shall fully cooperate with each other to defend the same.

6. Batavia shall pay all costs and expenses relating to defending any assessment challenge brought in its jurisdiction and Alexander shall pay all costs and expenses related to defending any assessment challenge brought in its jurisdiction.

7. The terms and conditions of this Agreement shall begin on August 1, 2020, and shall end on July 31, 2022. In order to allow both municipalities to make alternative arrangements for assessment duties, if necessary, the rights and duties of both parties shall not extend beyond the termination date, unless on or before May 1, 2022, Alexander and Batavia enter into an additional Agreement to renew or extend this contractual arrangement upon mutually agreed upon terms and conditions.

8. In consideration and for compensation for the services set forth herein, Alexander shall pay to Batavia the total sum of \$16,392.00 for the first year of this Agreement. This sum shall be paid in two installments of \$8,196.00 on or before September 1, 2020, and \$8,196.00 on or before March 1, 2021. Alexander will pay to Batavia the total sum of \$16,392.00 for the second year of this Agreement to be paid in two installments of \$8,196.00 on or before September 1, 2021, and \$8,196.00 on or before March 1, 2022.

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9. In the event that the current Town of Batavia Assessor shall resign or otherwise is no longer able to provide assessment services to Batavia, then Alexander, at its sole option and discretion, may terminate this Agreement with at least ninety (90) days prior written notice to Batavia and thereafter, this Agreement shall be null and void.

10. There are no other agreements or understandings, either oral or written, between the parties affecting this Agreement. No changes, additions or deletions of any portions of this Agreement shall be valid or binding upon the parties hereto unless the same is approved in writing by the parties.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals the day and year first above written.

TOWN OF BATAVIA

By: Gregory H. Post, Town Supervisor

TOWN OF ALEXANDER

By: David L. Miller, Town Supervisor

State of New York }
County of Genesee } ss.

On this _____ day of _____, 2020, 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/she executed the same in his/her capacity, and that by his/her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Notary Public

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State of New York }
County of Genesee } ss.

On this _____ day of _____, 2020, before me, the undersigned, personally appeared David L Miller, 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/she executed the same in his/her capacity, and that by his/her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Notary Public

RESOLUTION NO. 93:

Councilwoman Michalak offered the following:

RESOLUTION TO APPROVE A
FIFTH AMENDED ASSESSMENT SERVICES AGREEMENT
WITH THE TOWN OF BERGEN

WHEREAS, the Town of Batavia, (hereinafter “Batavia”) and the Town of Bergen, (hereinafter “Bergen”) entered into a contract entitled “Towns of Batavia and Bergen Assessment Services Agreement”, dated July 28, 2015; and

WHEREAS, both Towns desire to continue this relationship, allowing Batavia to provide assessment services to Bergen, and

WHEREAS, the Batavia has determined that it has the ability to provide the services by using the Batavia Town Assessor, who is and will continue to be fully qualified as required by law to provide assessment services, with any support staffing, as necessary.

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Batavia, New York, that a proposed “Fifth Amended Towns of Batavia and Bergen Assessment Services Agreement”, a copy of which is annexed hereto and made part of the Town Board Minutes, is hereby approved and the Town Supervisor is authorized and directed to sign this Agreement on behalf of the Town of Batavia; and be it further

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RESOLVED that the effective date of this Agreement shall be July 1, 2020.

Second by: Councilwoman White
Ayes: Michalak, White, Underhill, Zambito, Post
APPROVED by unanimous vote (5-0)

FIFTH AMENDED
TOWNS OF BATAVIA AND BERGEN
ASSESSMENT SERVICES AGREEMENT

THIS AGREEMENT made the _____ day of _____, 2020, by and between the **TOWN OF BERGEN**, a municipal corporation organized and existing under the Laws of the State of New York, having its principal office located at 10 Hunter Street, Bergen, New York 14416, (hereinafter referred to as “Bergen”), and the **TOWN OF BATAVIA**, a municipal corporation organized and existing under the Laws of the State of New York, having its principal office located at 3833 West Main Street Road, Batavia, New York 14020, (hereinafter referred to as “Batavia”).

WHEREAS, pursuant to Article 5-G of the General Municipal Law, Bergen and Batavia are authorized to enter into an inter-municipal cooperative agreement for the provision of tax assessment services, and

WHEREAS, Batavia currently is employing an Assessor fully qualified to provide all assessment services as required by law, and

WHEREAS, Batavia intends to continue to maintain the position of Assessor and to provide any support staff necessary to assist her/him to perform assessment duties in both the Towns of Batavia and Bergen.

NOW, THEREFORE, in consideration of the mutual covenants and agreements contained herein, it is agreed as follows:

11. Batavia agrees to provide assessment services to Bergen and shall provide a qualified individual to perform said duties outlined herein. The person appointed as Assessor must satisfy the minimum qualification standards for real property assessors established by the State Board of Real Property Services.

12. The Assessor provided by Batavia shall be responsible for assessing all parcels of real property located in Bergen and in Batavia for the purposes of taxation and special ad valorem levies for town, county, special district and school district. The Assessor shall also oversee all other duties as required for assessors by the Real Property Tax Law and the rules of the State Board of Real Property

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Services. All real property in the Town of Bergen shall be assessed annually at 100% of market value as determined by the New York State Office of Real Property Tax Services and the Level of Assessment shall be at 100% as determined by the assessor. Such percentage of market value shall be annually printed on the tentative assessment rolls for the participating assessing units.

13. The dates applicable to the assessment process in each municipality, including taxable status date, and the dates for the filing of the tentative and final assessment rolls, shall be the same.

14. The Assessor personally and/or by employees under his/her direction shall be present for office hours in the Bergen Town Assessors Office for a total of four (4) hours per week. The days and times of these office hours shall be mutually agreed. Additionally the Assessor can be available by appointment or during regular office hours at the City or Town of Batavia offices.

15. The Assessor and any support staff shall for all purposes be deemed employees of Batavia. The Assessor and any support staff shall not in any way be construed as employees of Bergen. Batavia shall pay the salary and make employer's contributions for retirement, social security, health insurance, worker's compensation, unemployment and other similar benefits for the Assessor, as well as for any other individuals employed by Batavia to fulfill the terms and conditions of this Agreement as support staff.

16. Batavia shall indemnify and hold Bergen harmless from any claims made against Bergen by the Assessor, or any third party, arising out of any acts of misfeasance, malfeasance, or non-feasance by the Assessor in the performance of his/her duties while working for Batavia, including costs of settling any action and reasonable attorney's fees for defense. Bergen shall indemnify and hold Batavia harmless from any claims made against Batavia by the Assessor, or any third party, arising out of any acts of misfeasance, malfeasance, or non-feasance by the Assessor in the performance of his/her duties while working for Bergen, including costs of settling any action and reasonable attorney's fees for defense. Each party will provide the other with timely notice of any claims and shall fully cooperate with each other to defend the same.

17. Batavia shall pay all costs and expenses relating to defending any assessment challenge brought in its jurisdiction and Bergen shall pay all costs and expenses related to defending any assessment challenge brought in its jurisdiction.

18. The terms and conditions of this Agreement shall begin on July 1, 2020 and shall end on June 30, 2021. In order to allow both municipalities to make alternative arrangements for assessment duties, if necessary, the rights and duties of both parties shall not extend beyond the termination date, unless on or before April 30, 2020, Bergen and Batavia enter into an additional Agreement to renew or extend this contractual arrangement upon mutually agreed upon terms and conditions.

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19. In consideration and for compensation for the services set forth herein, Bergen shall pay to Batavia the total sum of twenty-five thousand, seven-hundred, fifty dollars (\$25,750.00 for this Agreement. This sum shall be paid in two equal installments of twelve thousand, eight hundred, seventy-five dollars. The first payment due on or before October 1, 2020 and the second payment due on or before March 1, 2021.

20. In the event that the current Town of Batavia Assessor shall resign or otherwise is no longer able to provide assessment services to Batavia, then Bergen, at its sole option and discretion, may terminate this Agreement with at least thirty (30) days prior written notice to Batavia and thereafter, this Agreement shall be null and void.

21. There are no other agreements or understandings, either oral or written, between the parties affecting this Agreement. No changes, additions or deletions of any portions of this Agreement shall be valid or binding upon the parties hereto unless the same is approved in writing by the parties.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals the day and year first above written.

TOWN OF BATAVIA

By: Gregory H. Post, Town Supervisor

TOWN OF BERGEN

By: Ernest Haywood, Town Supervisor

State of New York}
County of Genesee}ss.

On this _____ day of _____, 2020, 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/she executed the same in his/her capacity, and that by his/her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Notary Public

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State of New York}
County of Genesee}ss.

On this _____ day of _____, 2020, before me, the undersigned, personally appeared Ernest Haywood, 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/she executed the same in his/her capacity, and that by his/her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Notary Public

RESOLUTION NO. 94:

Councilman Zambito offered the following:

**KNOWBE4 SECURITY AWARENESS TRAINING
SUBSCRIPTIONS
HURRICANE TECHNOLOGIES**

WHEREAS, in 2018 the Town subscribed to KnowBe4 Security Training Awareness as part of cyber security awareness training, which is necessary for staff; and

WHEREAS, the subscription expires July 19, 2020 and Hurricane Technologies proposed a one year renewal of KnowBe4 Security Awareness Training Subscriptions at a cost of \$18.68 per user, per year (currently 40 users, quote attached).

NOW, THEREFORE, BE IT

RESOLVED the Batavia Town Board hereby authorizes a one-year subscription of KnowBe4 Security Awareness Training through Hurricane Technologies at a cost of \$18.68 per user, per year.

Second by: Deputy Supervisor Underhill

Ayes: Zambito, Underhill, Michalak, White, Post

APPROVED by unanimous vote (5-0)

RESOLUTION NO. 95:

Councilwoman White offered the following:

**PURCHASE POST POUNDER FOR
TOWN HIGHWAY DEPARTMENT**

WHEREAS, the 2020 Town Budget reflects appropriations to purchase a new sign-post pounder

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for the Highway Department and;

WHEREAS, the Town solicited bids for the sign-post pounder and three bids were received. The low bidder was Lineman Supply Inc. at a cost of is \$3,288.00.

NOW, THEREFORE BE IT

RESOLVED, the Batavia Town Board hereby authorizes the purchase a new post pounder from Lineman Supply Inc at a cost of is \$3,288.00 and be it;

FURTHER RESOLVED, the expenditures will be appropriated from the Highway Department account DA5130.200.

Second by: Deputy Supervisor Underhill
Ayes: White, Underhill, Michalak, Zambito, Post
APPROVED by unanimous vote (5-0)

RESOLUTION NO. 96:

Deputy Supervisor Underhill offered the following:

SHARED SERVICES
ELECTRONIC RECORDS MANAGEMENT
INTERMUNICIPAL AGREEMENT BETWEEN THE TOWNS OF
ALEXANDER, BYRON, AND BATAVIA

WHEREAS, the Town of Batavia, along with the Town of Alexander and the Town of Byron, applied for a Local Government Records Management Improvement Fund (LGRMIF) Grant for Shared Services document conversion and access, with the Town of Batavia as lead applicant, and were awarded \$111, 456; and

WHEREAS, as part of the project, Towns must enter into a Shared Services Intermunicipal Agreement for the Electronic Records Management; and

WHEREAS, the Towns collaborated in drafting the attached Shared Services Intermunicipal Agreement and each Towns Attorneys have reviewed and recommends approval of the agreement.

NOW, THEREFORE, BE IT

RESOLVED by the Town Board of the Town of Batavia, New York, that a proposed “Shared Services Electronic Records Management Intermunicipal Agreement” between the Town of Alexander, Town of Byron, and the Town of Batavia, a copy of which is annexed hereto and made a part of the Town Board Minutes; is hereby approved and the Town Supervisor is hereby authorized and directed to execute the Intermunicipal Agreement on behalf of the Town of Batavia.

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Second by: Councilwoman White
Ayes: Underhill, White, Michalak, Zambito, Post
APPROVED by unanimous vote (5-0)

RESOLUTION NO. 97:

Supervisor Post offered the following:

PURCHASE OF PARCEL DROP BOX

WHEREAS, with the events of the Covid-19 pandemic there is a need for a large parcel drop box to be located in the front of the Town Hall, and

WHEREAS, the parcel drop box would serve the needs of all the departments; and

WHEREAS, two quotes were received, for a Jayco large parcel drop box, model LL10FD12AL2GRY, with the lower quote of \$2,179.98, from Budget Mailboxes being not available as it is out of stock.

NOW, THEREFORE, BE IT

RESOLVED, the Batavia Town Board hereby approves the purchase of a Jayco large parcel drop box from Jayco Industries, LLC at a cost of two thousand, one hundred, eighty dollars (\$2,180.00); and be it further

RESOLVED, the expenditure will be appropriated from the line item A1620.200.

Second by: Deputy Supervisor Underhill
Ayes: Post, Underhill, Michalak, Zambito, White
APPROVED by unanimous vote (5-0)

RESOLUTION NO. 98 :

Councilwoman Michalak offered the following:

PURCHASE OF DELL COMPUTERS
DESKTOP AND LAPTOPS
REMOTE ACCESS

WHEREAS, with the events of the Covid-19 pandemic all new, recycled, and new spare laptops have been utilized for Town Officials; and

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WHEREAS, there is a need to have laptop computers available to work remotely and a desktop computer for Highway and Water/Wastewater Workers.

NOW, THEREFORE, BE IT

RESOLVED, the Batavia Town Board hereby approves the purchase of two (2) Dell Latitude 5500 laptop computers at a cost of \$984.65 each, and one (1) Dell OptiPlex 3070 SFF MLK Desktop computer at a cost of \$805.63, NYS Contract #C000000005000, Customer Agreement #PM20820; copy of quote annexed hereto and made a part of the minutes; and be it further

RESOLVED, the expenditure will be appropriated from line item A1620.200.

Second by: Deputy Supervisor Underhill
Ayes: Michalak, Underhill, Zambito, White, Post
APPROVED by unanimous vote (5-0)

RESOLUTION NO. 99:

Councilman Zambito offered the following:

ACCOUNTING SOFTWARE MAINTENANCE AGREEMENT
WILLIAMSON LAW BOOK COMPANY

RESOLVED, the Batavia Town Board hereby authorizes the Supervisor to execute the annual renewal Accounting Software Maintenance Agreement between the Town of Batavia and Williamson Law Book Company at a cost of one thousand, eighty dollars (\$1,080.00) for one (1) year, effective May 1, 2020 to April 30, 2021, a copy of which is annexed hereto and made a part of the minutes.

Second by: Deputy Supervisor Underhill
Ayes: Zambito, Underhill, Michalak, White, Post
APPROVED by unanimous vote (5-0)

RESOLUTION NO. 100:

Councilwoman White offered the following:

ESTABLISHING STANDARD WORKDAY AND REPORTING
ELECTED AND APPOINTED OFFICIALS
EXEMPT FROM THE TIME AND ATTENDANCE SYSTEM

RESOLVED, the Batavia Town Board hereby establishes the following as a standard workday for elected and appointed officials exempt from the time and attendance system and will report the following days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by these officials to Town Clerk and Secretary to the Supervisor;

Title	Name	Elected & Appointed Officials					Record of Activities	Tier 1 (Check only member is i
		Social Security Number (Last 4 digits)	Registration Number	Standard Work Day (hrs/day)	Current Term Begins/Ends	Participates in Employer's Time Keeping System		

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Town Councilman	Chad Zambito	█	█	6	01/01/2020-12/31/2023	N	20.74	

and be it further

RESOLVED, the Town Clerk is hereby directed, as required by Section 315.4 (c), to post said resolution on the Town’s website and the sign board located in the Town Hall; and be it further

RESOLVED, the Town Clerk is hereby directed to file a certified copy of the resolution and an affidavit of posting with the Office of the State Comptroller’s.

Second by: Councilwoman Michalak
Ayes: White, Michalak, Zambito, Underhill, Post
APPROVED by unanimous vote (5-0)

RESOLUTION NO. 101:

Deputy Supervisor Underhill offered the following:

**AUTHORIZATION TO APPROVE AND ACCEPT THE NYS DEPARTMENT OF STATE
LOCAL GOVERNMENT CITIZENS REORGANIZATION EMPOWERMENT (CREG)
IMPLEMENTATION GRANT FOR THE
CONSOLIDATION OF THE TOWN OF BATAVIA’S WATER DISTRICTS**

WHEREAS, the Town of Batavia has examined the cost savings, operating and administrative efficiencies, and the ability to better plan and finance future capital repairs and improvements in the various existing water districts and water improvement areas in the Town; and

WHEREAS, it has been determined that the consolidation of the Town’s existing water districts and improvement areas into a consolidated water district will result in immediate cost savings in the administration and management of the Town’s water districts and will allow for the development of an asset management and capital improvement plan that will manage future capital needs in a cost-efficient manner; and

WHEREAS, in order to accomplish these goals, the Town of Batavia applied for and received funding in the amount of \$45,930 from the NYS Department of State’s Citizens Re-Organization Empowerment Implementation Grant Program (Implementation) to consolidate the Town’s existing water districts and water improvement areas into a single Town-wide Water District to be known as the “Town of Batavia Consolidated Water District ” ; and

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WHEREAS, the Town of Batavia hereby recognizes and authorizes the required \$4,070 local contribution match of Town funds towards the total \$50,000 estimated project implementation costs, to receive full funding;

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor is hereby authorized to execute all financial and/or administrative processes related to the implementation of the program.

Second by: Councilman Zambito

Ayes: Underhill, Zambito, White, Michalak, Post

APPROVED by unanimous vote (5-0)

RESOLUTION NO. 102:

Supervisor Post offered the following:

**EMERGENCY WORK AT AGRI-BUSINESS PARK WASTEWATER PUMP STATION
AGREEMENT WITH EMERGENCY CONTRACTOR STC CONSTRUCTION, INC.**

WHEREAS, emergency protective measures were needed during the pandemic to ensure the continued operation of our agri-business park wastewater pumping station generally including assistance with bypass pumping systems installations, replacement pump installations, wet well improvements and valve vault repairs; and

WHEREAS, STC Construction, Inc. was hired on an emergency as needed basis, in part, to ensure the protection of our water and sewer operators under resolution no. 81; and

WHEREAS, STC Construction, Inc. was selected to complete the above measures due to their experience and qualifications, and

WHEREAS, the Town Engineer and Town Attorney recommends the Town enter into the attached contract for the work described therein.

NOW, THEREFORE, BE IT

RESOLVED that the Supervisor is hereby authorized to execute the contract with STC Construction, Incorporated, a copy of which is annexed hereto and made a part of the agreement.

Second by: Deputy Supervisor Underhill

Ayes: Post, Underhill, Michalak, Zambito, White

APPROVED by unanimous vote (5-0)

MAY 20, 2020
REGULAR TOWN BOARD MEETING
VIA ZOOM CONFERENCING
Meeting ID: 959 4182 8159
Password: 457011

RESOLUTION NO. 103 :

Councilwoman Michalak offered the following:

**EMERGENCY WORK AT WEST MAIN NO.1 WASTEWATER PUMP STATION
AGREEMENT WITH EMERGENCY CONTRACTOR STC CONSTRUCTION, INC.**

WHEREAS, emergency protective measures were needed during the COVID-19 pandemic to ensure the continued operation of our West Main No. 1 wastewater pumping station which generally include assistance with bypass pumping systems installations, replacement pump installations, wet well improvements and valve vault repairs; and

WHEREAS, STC Construction, Inc. was hired on an emergency as needed basis, in part, to ensure the protection of our water and sewer operators under resolution no. 81; and

WHEREAS, STC Construction, Inc. was selected to complete the above measures due to their experience and qualifications, and

WHEREAS, the Town Engineer and Town Attorney recommends the Town enter into the attached contract for the work described therein.

NOW, THEREFORE, BE IT

RESOLVED that the Supervisor is hereby authorized to execute the contract with STC Construction, Incorporated, a copy of which is annexed hereto and made a part of the agreement.

Second by: Councilman Zambito

Ayes: Michalak, Zambito, White, Underhill, Post

APPROVED by unanimous vote (5-0)

Abstract No. 5-2020: Motion Deputy Supervisor Underhill, second Councilwoman Michalak to authorize the Supervisor to pay the following vouchers:

MAY 20, 2020
REGULAR TOWN BOARD MEETING
VIA ZOOM CONFERENCING
Meeting ID: 959 4182 8159
Password: 457011

General	\$70,228.63
Highway	10,346.66
Sewer No. 1	146,074.34
Sewer No. 2	49,358.30
Water	26,711.16
Ag Bus PS	122,340.90
Ellicott Trail	11,651.32
Townline Water	650.00
Fixed Base Meters	43,747.50
Total	\$481,108.81

Check numbers 22922 – 22988, SM: 1132, ACH: \$50,544.04

Ayes: Underhill, Michalak, Zambito, White, Post

MOTION CARRIED by unanimous vote (5-0)

DEPARTMENT REPORTS:

Building/Zoning- Bruce Gerould, Building Inspector reported that the permits and questions have picked up significantly. The Supervisor thanked the department for keeping the permits, appoints and inspections moving forward. It's imperative that we maintain the economy in this community the best we can.

Supervisor reported that all departments are very busy. Taking it slowly on the reopening of Town Hall. The drive-up window is open. Waiting for further information from the State. There is concern of the monitoring. The Town will be taking it a week or two at a time. Staying cautious as we do not want to risk anybody's health.

Supervisor's Report:

Status Report on expenditures and revenues is available for the Board's review.

¾ Ton Pick-up Truck Bid- The bid opening for the ¾ Ton Pick-up Truck was May 14 and two bids were received. No award for this, as the bids were over budget.

GAM- meeting is tomorrow evening at 7:00 p.m. via ZOOM

COMMUNICATIONS:

The Town Clerk reported on the following:

April Town Clerk monthly report collected a total of \$2,053.50, remitted \$1,850.55 to the Supervisor for the Local Share.

ADJOURNMENT:

Motion Deputy Supervisor Underhill, second Councilwoman Michalak to adjourn the Regular

MAY 20, 2020
REGULAR TOWN BOARD MEETING
VIA ZOOM CONFERENCING
Meeting ID: 959 4182 8159
Password: 457011

Town Board Meeting at 7:25 P.M.

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

Respectfully submitted,

Teressa M. Morasco
Town Clerk