

**OFFICIAL MINUTES OF THE BOARD OF TRUSTEES  
FOR THE VILLAGE OF BATH  
PUBLIC HEARING/REORGANIZATIONAL MEETING  
APRIL 3, 2017**

This meeting of the Board of Trustees of the Village of Bath was held on the 3rd day of April 2017 at the Village of Bath, Village Hall, located at 110 Liberty St., Bath, NY 14810. This meeting was called to order by Mayor William von Hagn at 5:00 p.m.

**Present:**

Mayor:	William von Hagn	Street Superintendent:	Jeff Muller
Deputy Mayor/Trustee:	Jeanne Glass	Clerk/Treasurer:	Jacqueline Shroyer
Trustee:	Mark Bardeen	Fire Chief:	Robin Havens
Trustee:	Melanie Coots	Police Chief:	Chad Mullen
Trustee:	Mike Sweet	BEGWS Director:	Erin Bonacci
Assistant Street Super:	Thomas Gutow		

**Absent:**

Code Enforcement: Ralph Senese

**Public Hearing – Budget 2017-2018 – 2.98% Increase:**

Public Hearing was opened at 5:00 p.m.

Resident Stephen Sheehan spoke about how Bath is not growing and it is hard for people to pay for the increase in taxes every year.

Motion made by Trustee Sweet, seconded by Trustee Coots to close the public hearing at 5:02 p.m. All present were in favor and the motion was carried.

**Swearing in of Trustees:**

Trustee Mark Bardeen took the Oath of Office.

Trustee Melanie Coots took the Oath of Office.

**Reorganizational Meeting:**

**Appointments:**

**Part-Time Police Officer Resolution:**

RESOLUTION  
VILLAGE OF BATH BOARD OF TRUSTEES  
BATH, NEW YORK

DATE APPROVED: Monday, April 3, 2017 INTRO. DATE: Monday, April 3, 2017

INTRODUCED BY: Trustee Glass SECONDED BY: Trustee Coots

VOTE:	Mayor vonHagn	Aye	Nay	Abstain	Absent
	Trustee Glass	Aye	Nay	Abstain	Absent
	Trustee Bardeen	Aye	Nay	Abstain	Absent
	Trustee Coots	Aye	Nay	Abstain	Absent



WHEREAS, the Bath Village Chief of Police had previously announced the need to hire part-time police officers in an effort of having sufficient personnel to cover vacations and sick leave in order to keep police department over-time to manageable levels.

WHEREAS, the Bath Village Chief of Police, with approval of the Village Board, is authorized to maintain up to seven (7) part-time police officer positions, and is recommending that the Bath Village Board of Trustees appoint Cody Recktenwald, effective March 31, 2017, to the position of Part-time Police Officer contingent upon the following:

- Satisfactorily passing the background investigation conducted by the Bath Village Police Department.
- Satisfactorily passing the psychological examination for employment
- Satisfactorily passing a medical examination or providing satisfactory proof to the Chief of Police that he is medically and physically fit to perform the duties of a part-time police officer.
- The Village will compensate, pursuant to the collective bargaining agreement with the Bath Police Benevolent Association, only those hours worked during Supervised Field Training and hours assigned to her after successfully completing the Basic Course for Police Officers.
- Cody Recktenwald will remain on a probationary period not to exceed 18 months from the date of appointment.

BE IT RESOLVED, that the Village of Bath Board of Trustees is hereby appointing Cody Recktenwald to the position of Part-time Police Officer, contingent on the aforementioned stipulations and said appointment shall take place on March 31, 2017.

**Shade Tree Committee Appointments:**

Motion made by Trustee Coots, seconded by Trustee Bardeen to approve the following reappointments. All present were in favor and the motion was carried.

Jim Pitt – Shade Tree Committee 3 year term  
Rhonda Billmeyer – Shade Tree Committee 3 year term  
Jim Peek – Shade Tree Committee 3 year term

**Historical Preservation Appointment:**

Motion made by Trustee Glass, seconded by Trustee Bardeen to reappoint Terry Bilancio to the historical preservation committee for a 3 year term. All present were in favor and the motion was carried.

**Planning/Zoning Board Appointments:**

Motion made by Trustee Sweet, seconded by Trustee Bardeen to reappoint the following. All present were in favor and the motion was carried.

James Deats – Planning Board 3 Year Term  
Tom Sears – Zoning Board 3 Year Term

**Utility Commission Appointment:**

Motion made by Trustee Sweet, seconded by Trustee Coots to appoint Vernard Anderson to the Utility Commission to serve the balance of William Heigel's term. All present were in favor and the motion was carried.

**Correspondence:**

**Tyrtle Beach Banner Request:**

Motion made by Trustee Glass, seconded by Trustee Coots to approve the request to put a sign by the clock tower until April 28, 2017 for Tyrtle Beach. All present were in favor and the motion was carried.

**Bath Ministerial Association – Pulteney Park Request:**

Motion made by Trustee Bardeen, seconded by Trustee Sweet to approve the request to use Pulteney Park Friday April 14, 2017 at 12:00 for a Good Friday Service. All present were in favor and the motion was carried.

**Bath Ministerial Association – Mossy Bank Request:**

Motion made by Trustee Bardeen, seconded by Trustee Glass to approve the request to use Mossy Bank Park for the Sunrise Service on Sunday, April 16, 2017. All present were in favor and the motion was carried.

Motion made by Trustee Bardeen, seconded by Trustee Sweet to amend the previous motion to approve the request to use Mossy Bank Park for the Sunrise Service on Sunday, April 16, 2017 and to allow Bath Ministerial Association to use Pulteney Park for the Sunrise Service if inclement weather does not allow access into Mossy Bank. All present were in favor and the motion was carried.

**Bath Youth Softball – Softball Field by WWTP:**

Motion made by Trustee Coots, seconded by Trustee Sweet to approve the request by the Bath Youth Softball League for the use the field next to the Waste Water Treatment Plant. The Softball League has already supplied a certificate of liability for insurance. All present were in favor and the motion was carried.

**Civic/Neighborhood Watch – Pulteney Park Request:**

Motion made by Trustee Glass, seconded by Trustee Bardeen to approve the Pulteney Park Request for Civic and Neighborhood Watch for August 12 and 13, 2017. All present were in favor and the motion was carried.

**New Business:**

**Budget 2017-2018 – 2.98% Increase:**

Motion made by Trustee Coots, seconded by Trustee Bardeen approving the budget for 2017-2018 with a 2.98% tax increase with the Trustees voting as follows:

Trustee Glass	Aye	Trustee Bardeen	Aye
Trustee Coots	Aye	Trustee Sweet	Aye
Mayor von Hagn	Aye		

All present were in favor and the motion was carried.

**Mayoral Appointments:**

Motion made by Trustee Bardeen, seconded by Trustee Glass to approve the following Mayoral Appointments. All present were in favor and the motion was carried.

**Mayoral Appointments**

Deputy Clerk/Treasurer (One Year)	Stephany Bartusiak
Acting Village Justice (One Year)	James Burns
Deputy Registrar (One Year)	Stephany Bartusiak
Deputy Mayor (One Year)	Jeanne Glass
Official Newspaper	The Corning Leader
Official Depositories	Five Star Bank
	Chemung Canal Trust Company

**Designation of Areas of Responsibility of the Board:**

Motion made by Trustee Glass, seconded by Trustee Bardeen to approve the following Liasion Assignments for the Board of Trustees. All present were in favor and the motion was carried.

**Liasion Assignments**

Attorney	Mayor
Bingo/Bell Jar	Trustee Coots
Clerk/Treasurer	Mayor
Deputy Clerk/Treasurer	Mayor
Code Enforcement	Trustee Bardeen
Fire Department	Trustee Bardeen
Police Department	Trustee Coots
Street Department	Trustee Coots
Town of Bath	Mayor
Village Hall	Mayor

**Committees**

Chamber of Commerce	Trustee Glass
Handicapped Accessibility	Trustee Sweet
Historical Preservation	Trustee Bardeen
Housing Authority	Trustee Sweet
Joint Economic Development	Mayor/Trustee Glass
John Southard Youth Recreation	Trustee Sweet
Mossy Bank Park	Trustee Glass
Parks/Downtown	Trustee Glass
Planning Board	Trustee Sweet
Shade Tree	Trustee Coots
Technology	Trustee Bardeen

Utilities  
Zoning

Mayor  
Trustee Sweet

**Village of Bath Meeting Dates:**

Motion made by Trustee Sweet, seconded by Trustee Coots to approve the following list of meeting dates for 2017-2018 fiscal year. All present were in favor and the motion was carried.

**Meeting Dates for 2017 - 2018**

Official meeting will be held on the third Monday of each month unless stated otherwise. Meetings will be held at the Village Board Room at 110 Liberty Street at 5:30 pm. Except for the Reorganizational meeting held at 5:00 p.m. All meetings will include any business brought before the board.

Monday April 17, 2017	Regular Meeting
Monday May 15, 2017	Regular Meeting
Monday June 19, 2017	Regular Meeting
Monday July 17, 2017	Regular Meeting
Monday August 21, 2017	Regular Meeting
Monday September 18, 2017	Regular Meeting
Monday October 16, 2017	Regular Meeting
Monday November 20, 2017	Regular Meeting
Monday December 18, 2017	Regular Meeting
Tuesday January 16, 2018	Regular Meeting
Tuesday February 20, 2018	Regular Meeting
Monday March 19, 2018	Regular Meeting
Monday April 2, 2018	Re-Org Meeting

**Village of Bath Holidays:**

Motion made by Trustee Glass, seconded by Trustee Bardeen to approve the following list of Holidays for the 2017-2018 fiscal year. All present were in favor and the motion was carried.

**2017-2018 Holidays**

Monday May 29, 2017	Memorial Day
Tuesday July 4, 2017	Independence Day
Monday September 4, 2017	Labor Day
Monday October 9, 2017	Columbus Day
Friday November 10, 2017	Veterans Day
Thursday November 23, 2017	Thanksgiving
Friday November 24, 2017	Day After Thanksgiving
Monday December 25, 2017	Christmas Eve
Tuesday December 26, 2017	Christmas

Monday January 1, 2018	New Year's Eve
Tuesday January 2, 2018	New Year's Day
Monday January 15, 2018	Martin Luther King Jr. Day
Monday February 19, 2018	Presidents' Day
Friday March 30, 2018	Good Friday

**Standard Work Day and Reporting Resolution for Retirement:**

Motion made by Trustee Bardeen, seconded by Trustee Sweet to approve the standard work day and reporting resolution. All present were in favor and the motion was carried.

**Resolution for Tax Relevies:**

**Resolution 04-03-2017**

Upon the motion of Trustee Glass, seconded by Trustee Bardeen, to approve Resolution 04-03-2017 Tax Levy for 2017-2018.

Whereas, the Village Board of Trustees has adopted a budget for the fiscal year 2017-2018 pursuant to Section 5-508 of the Village Law.

Now, therefore be it resolved, that the following tax levy be adopted levying the total taxes and other charges extended and levied against each parcel of real property shown on the roll for the fiscal year 2017-2018:

General Fund Tax Levy	\$2,939,481.00
Assessed Valuation	98,793,769.00
Tax Rate per 1000	29.77481

Total Taxes for 2017-2018 Budget	\$2,939,481.00
Delinquent Water Rents & Charges	21,012.43
Delinquent Water Units & Charges	6,561.52
Delinquent Sewer Rents & Charges	15,749.72
Delinquent Sewer Units & Charges	6,022.91

Tax Map Number	Amount
158.16-01-008.000	312.50
159.05-04-055.000	312.50
159.13-01-076.000	312.50
159.53-01-002.000	625.00
158.12-02-044.000	312.50
159.14-01-002.000	343.75
159.13-01-004.000	375.00
158.16-01-008.000	406.25
159.09-01-048.000	843.75

Total Tax Levy	\$2,918,953.75
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and the County of Steuben is authorized to collect these taxes and relevies and the Mayor and all the Trustees voting as follows:

	AYE	NAY	ABSENT
Mayor William von Hagn	X		
Trustee Mark Bardeen	X		
Trustee Jeanne Glass	X		
Trustee Michael Sweet	X		
Trustee Melanie Coots	X		

**Procurement Policy:**

**RESOLUTION**

At a regular meeting of the Board of Trustees of the Village of Bath, New York, held on the 3rd day of April, 2017

WHEREAS, Section 104-b of the General Municipal Law requires the governing body of every municipality to adopt a procurement policy for all goods and services which are not required by law to be publicly bid, and

WHEREAS, comments have been solicited from all officers in the Village of Bath involved in the procurement process,

NOW, upon motion of Trustee Coots, seconded by Trustee Sweet, with the Mayor and Trustees voting as follows:

Mayor von Hagn	<u>    Aye    </u>
Trustee Glass	<u>    Aye    </u>
Trustee Bardeen	<u>    Aye    </u>
Trustee Sweet	<u>    Aye    </u>
Trustee Coots	<u>    Aye    </u>

BE IT RESOLVED, that the Village of Bath does hereby adopt the Procurement Policy to apply to all goods and services which are not required by law to be publicly bid.

**Village of Bath  
Procurement Policy  
April 3, 2017**

1. Adoption; applicability.



The Village of Bath does hereby adopt the following procurement policy, which is intended to apply to all goods and services which are not required by law to be publicly bid.

2. Determination of type of purchase.

A. Every purchase to be made must be initially reviewed to determine whether it is a purchase contract or a public works contract. Once that determination is made, a good faith effort will be made to determine whether it is known or can reasonably be expected that the aggregate amount to be spent on the item of supply or service is not subject to competitive bidding, taking into account past purchases and the aggregate amount spent in a year. The following items are not subject to competitive bidding pursuant to §104-B of the General Municipal Law: purchase contracts under \$20,000 and public works contracts under \$35,000; emergency purchases; certain municipal hospital purchases; goods purchased from agencies for the blind or severely handicapped; goods purchased from correctional institutions; purchases under state and county contracts; and surplus and secondhand purchases from another governmental entity.

B. The decision that a purchase is not subject to competitive bidding will be documented in writing by the individual making the purchase. This documentation may include written or verbal quotes from vendors, a memo from the purchaser indicating how the decision was arrived at, a copy of the contract indicating the source which makes the item or service exempt, a memo from the purchaser detailing the circumstances which led to an emergency purchase or any other written documentation that is appropriate.

2. Methods of purchase.

A. All goods and services will be secured by use of written quotations, verbal quotations or any other method that assures that goods will be purchased at the lowest price. The following circumstances are exempt from the quotation requirement: purchase contracts under \$20,000 and public works contracts under \$35,000; goods purchased from agencies for the blind or severely handicapped pursuant to §175-b of the State Finance Law; goods purchased from correctional institutions pursuant to §186 of the Correction Law; purchases under state contracts pursuant to §104 of the general municipal law; purchases under county contracts to §103, Subdivision 3, of the General Municipal Law.

B. The following method of purchase will be used when required by this chapter in order to achieve the highest savings:

<b>Estimated Amount of Purchase Contract</b>	<b>Method</b>
\$1,500-5,999	2 verbal quotations
\$6,000-19,999	3 written quotations

<b>Public Works Contract Method</b>	<b>Estimated Amount of</b>
\$5,000-9,999	2 verbal quotations
\$10,000-19,999	3 written quotations
\$20,000-34,999	3 written quotations and approval by the Board

C. A good faith effort shall be made to obtain the required number of proposals or quotations. If the purchaser is unable to obtain the required number of proposals or quotations, the purchaser will document the attempt made at obtaining the proposals. In no event shall the failure to obtain the proposals be a bar to the procurement.

### 3. Documentation of actions.

A. Documentation is required of each action taken in connection with each procurement.

B. Documentation and an explanation is required whenever a contract is awarded to other than the lowest responsible offeror. This documentation will include an explanation of how the award will achieve savings or how the offeror was not responsible. A determination that the offeror is not responsible shall be made by the purchaser and may not be challenged under any circumstances.

### 4. Exceptions

Pursuant to General Municipal Law §104-b, Subdivision 2f, the procurement policy may contain circumstances when, or types of procurements for which, in the sole discretion of the governing body, the solicitation of alternative proposals or quotations will not be in the best interest of the municipality. In the following circumstances it may not be in the best interest of the Village of Bath, New York, to solicit quotations or document the basis for not accepting the lowest bid:

A. Professional services or services requiring special or technical skill, training or expertise.

(1) The individual or company must be chosen based on accountability, reliability, responsibility, skill, education and training, judgment, integrity, and moral worth. These qualifications are not necessarily found in the individual or company that offers the lowest price and the nature of these services are such that they do not readily lend themselves to competitive procurement procedures.

(2) In determining whether a service fits into this category the Village of Bath, New York, shall take into consideration the following guidelines:

(a) Whether the services are subject to state licensing or testing requirements.

(b) Whether substantial formal education or training is a necessary prerequisite to the performance of the services.

(c) Whether the services require a personal relationship between the individual and municipal officials.

(3) Professional or technical services shall include, but not be limited to the following:

(a) Services of an attorney

(b) Services of a physician

(c) Technical services of engineer engaged to prepare plans, maps and estimates.

(d) Securing insurance coverage and/or services of an insurance broker.

(e) Services of a certified public accountant

(f) Financial and Investment management services

(g) Printing services involving extensive writing, editing or art work

(h) Management of municipally owned property

(i) Computer software or programming services for customized programs or services involved in substantial modification and customizing of prepackaged software.

(j) Arborist services

(k) Rate and regulatory consultant

B. Emergency purchases pursuant to §103, subdivision 4, of the General Municipal Law. Due to the nature of this exception, these goods or services must be purchased immediately, and a delay in order to seek alternate proposals may threaten the life, health, safety or welfare of the residents. The subsection does not preclude alternate proposals if time permits.

C. Purchases of surplus and secondhand goods. If alternate proposals are required, the Village of Bath is precluded from purchasing surplus and secondhand goods at auctions or through specific advertised sources where the best prices are usually obtained. It is also difficult to try to compare prices of used goods, and a lower price may indicate an older product.

D. Goods or services under \$1,500. The time and documentation required to purchase through this policy may be more costly than the item itself and would, therefore, not be in the best interests of the taxpayer. In addition, it is not likely that such de minimus contracts would be awarded based on favoritism.

E. Exception to above guidelines may be obtained with Board approval.

**Mileage Reimbursement Rate 53.5 cents/mile:**

**RESOLUTION  
VILLAGE OF BATH BOARD OF TRUSTEES  
BATH, NEW YORK**

Date Approved: Monday, April 3, 2017 Intro Date: Monday, April 3, 2017

Introduced by: Trustee Glass Seconded by: Trustee Bardeen

Vote:	Mayor von Hagn	<b>Aye</b>	Nay	Abstain	Absent
	Trustee Glass	<b>Aye</b>	Nay	Abstain	Absent
	Trustee Bardeen	<b>Aye</b>	Nay	Abstain	Absent
	Trustee Sweet	<b>Aye</b>	Nay	Abstain	Absent
	Trustee Coots	<b>Aye</b>	Nay	Abstain	Absent

TITLE: Resolution approving Mileage Allowance

**WHEREAS;** the Board of Trustees of the Village of Bath has determined to pay a fixed rate for mileage as reimbursement to village officers and employees who use their personal automobiles while performing their official village duties;

**NOW THEREFORE BE IT RESOLVED:**

**SECTION 1.** That the Board of Trustees of the Village of Bath will approve reimbursement to such officers and employees at the rate of 53.5 cents per mile.

**SECTION 2.** That this Resolution is effective immediately.

**Allow Board to Approve Claims in Advance:**

**RESOLUTION  
VILLAGE OF BATH BOARD OF TRUSTEES  
BATH, NEW YORK**

Date Approved: Monday, April 3, 2017 Intro Date: Monday, April 3, 2017

Introduced by: Trustee Sweet Seconded by: Trustee Glass

Vote:	Mayor von Hagn	<b>Aye</b>	Nay	Abstain	Absent
	Trustee Glass	<b>Aye</b>	Nay	Abstain	Absent
	Trustee Bardeen	<b>Aye</b>	Nay	Abstain	Absent
	Trustee Sweet	<b>Aye</b>	Nay	Abstain	Absent
	Trustee Coots	<b>Aye</b>	Nay	Abstain	Absent

TITLE: Resolution allowing board to approve claims in advance

**WHEREAS;** the board of trustees of the Village of Bath has determined to authorize payment in advance of audit of claims for public utility services, postage, freight, credit card, express charges and bills with late fees; and

**WHEREAS;** all such claims must be presented at the next regular meeting for audit; and

**WHEREAS;** the claimant and the officer incurring or approving the claim are jointly and severally liable for any amount the board of trustees disallows.

**NOW THEREFORE BE IT RESOLVED:**

**SECTION 1.** That the board of trustees of the Village of Bath authorizes payment in advance of audit of claims for public utility services, postage, freight, credit card, express charges and bills with late fees. All such claims must be presented at the next regular meeting for audit and the claimant and the officer incurring or approving the claims are jointly and severally liable for any amount the board of trustees disallows.

**SECTION 2.** That this resolution is effective immediately.

**Intrastate Mutual Aid Program:**

Motion made by Trustee Sweet, seconded by Trustee Glass to approve the New York State Intrastate Mutual Aid Program. All present were in favor and the motion was carried.

**Southern Tier Regional Annual Dinner – Mayor:**

Motion made by Trustee Glass, seconded by Trustee Bardeen to approve the mayor to attend the Southern Tier Regional Annual Dinner on April 27, 2017. All present were in favor and the motion was carried.

**Compost site Open Early:**

Motion made by Trustee Coots, seconded by Trustee Glass to approve the compost site to open early on Saturday, April 15, 2017 for Saturday's only. Street Superintendent, Jeff Muller will make the decision about Tuesdays and Thursdays, depending on the weather. All present were in favor and the motion was carried.

**Arbor Day Proclamation:**

Motion made by Trustee Bardeen, seconded by Trustee Coots to approve the Arbor Day Proclamation for April 28, 2017. All present were in favor and the motion was carried.

**Adjourn Reorganizational Meeting/Executive Session:**

Motion made by Trustee Glass, seconded by Trustee Bardeen to adjourn the reorganizational meeting of the Board of Trustees of the Village of Bath at 5:40 p.m. to go into executive session for contractual. All present were in favor and the motion was carried.

**Return to Regular Session:**

Motion made by Trustee Coots, seconded by Trustee Bardeen to return to reorganizational session at 5:42 p.m. All present were in favor and the motion was carried.

**Approve Town of Bath Fire Agreement 2017:**

Motion made by Trustee Glass, seconded by Trustee Bardeen to approve the Town of Bath Fire Agreement for 2017. All present were in favor and the motion was carried.

**Adjournment:**

Motion made by Trustee Sweet, seconded by Trustee Coots to adjourn the reorganizational meeting at 5:51 p.m. All present were in favor and the motion was carried.

Respectfully submitted by:

Jacqueline Shroyer  
Clerk/Treasurer