

**OFFICIAL MINUTES OF THE BOARD OF TRUSTEES  
FOR THE VILLAGE OF BATH  
PUBLIC HEARING/REORGANIZATIONAL MEETING  
APRIL 4, 2016**

This meeting of the Board of Trustees of the Village of Bath was held on the 4th day of April 2016 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		
Trustee:	Melanie Coots		
Trustee:	Mike Sweet		

**Public Hearing – Budget 2016-2017 – 3.37% Increase:**

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

No Discussion was made on the proposed budget.

Motion made by Trustee Glass, seconded by Trustee Bardeen to close the public hearing at 5:00 p.m. All present were in favor and the motion was carried.

**Swearing in of Mayor:**

Mayor William von Hagn took the Oath of Office.

**Swearing in of Trustees:**

Trustee Jeanne Glass took the Oath of Office.

Trustee Michael Sweet took the Oath of Office.

**Reorganizational Meeting:**

**Appointments:**

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

Will Heigel – Utility Commission 4 year term  
Barney Bonicave – Utility Commission 5 year term  
Lee Cornaire – Shade Tree Committee 3 year term  
Betty Langendorfer – Shade Tree Committee 3 year term  
John Wilderman – Shade Tree Committee 3 year term  
Mike Ricks – Shade Tree Committee 3 year term  
Jim Hopkins – Shade Tree Committee 3 year term  
Chet Wilcox – Historical Preservation 3 year term  
Chad Faulkner – Historical Preservation 3 year term

**Correspondence:**

**Catholic Charities – Banner Request:**

Motion made by Trustee Glass, seconded by Trustee Sweet to approve the banner request from Catholic Charities Steps to End Poverty Walk-a-thon for May 9 – May 14, 2016. All present were in favor and the motion was carried.

**Budget 2016-2017 – 3.37% Increase:**

Motion made by Trustee Bardeen, seconded by Trustee Sweet approving the budget for 2016-2017 with a 3.37% tax increase with the Trustees voting as follows:

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

**Mayoral Appointments:**

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

**Mayoral Appointments**

Clerk/Treasurer (Two Years)	Jacqueline Shroyer
Deputy Clerk/Treasurer (One Year)	Stephany Bartusiak
Acting Village Justice (One Year)	James Burns
Registrar (Two Years)	Jacqueline Shroyer
Deputy Registrar (One Year)	Stephany Bartusiak
Deputy Mayor (One Year)	Michael Sweet
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 Sweet, seconded by Trustee Glass 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 Sweet
Fire Department	Trustee Bardeen
Police Department	Trustee Bardeen
Street Department	Trustee Coots
Town of Bath	Mayor
Village Hall	Mayor

## Committees

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

### **Village of Bath Meeting Dates:**

Motion made by Trustee Bardeen, seconded by Trustee Sweet to approve the following list of meeting dates for 2016-2017 fiscal year. All present were in favor and the motion was carried.

### **Meeting Dates for 2016 - 2017**

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 18, 2016	Regular Meeting
Monday May 16, 2016	Regular Meeting
Monday June 20, 2016	Regular Meeting
Monday July 18, 2016	Regular Meeting
Monday August 15, 2016	Regular Meeting
Monday September 19, 2016	Regular Meeting
Monday October 17, 2016	Regular Meeting
Monday November 21, 2016	Regular Meeting
Monday December 19, 2015	Regular Meeting
Tuesday January 17, 2017	Regular Meeting
Tuesday February 21, 2017	Regular Meeting
Monday March 20, 2017	Regular Meeting
Monday April 3, 2017	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 2016-2017 fiscal year. All present were in favor and the motion was carried.

**2016-2017 Holidays**

Monday May 30, 2016	Memorial Day
Monday July 4, 2016	Independence Day
Monday September 5, 2016	Labor Day
Monday October 10, 2016	Columbus Day
Friday November 11, 2016	Veterans Day
Thursday November 24, 20156	Thanksgiving
Friday November 25, 2016	Day After Thanksgiving
Friday December 23, 2016	Christmas Eve
Monday December 26, 2016	Christmas
Friday December 30, 2016	New Year’s Eve
Monday January 2, 2017	New Year’s Day
Monday January 16, 2017	Martin Luther King Jr. Day
Monday February 20, 2017	Presidents’ Day
Friday April 14, 2017	Good Friday

**Resolution for Tax Relevies:**

**Resolution 04-04-2016**

Upon the motion of Trustee Glass, seconded by Trustee Sweet, to approve Resolution 04-04-2016 Tax Levy for 2016-2017.

Whereas, the Village Board of Trustees has adopted a budget for the fiscal year 2016-2017 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 2016-2017:

General Fund Tax Levy	\$2,855,271.58
Assessed Valuation	98,696,874.00
Tax Rate per 1000	28.92971
Total Taxes for 2016-2017 Budget	\$2,855,271.58
Delinquent Water Rents & Charges	19,519.87
Delinquent Water Units & Charges	7,607.66
Delinquent Sewer Rents & Charges	17,430.23
Delinquent Sewer Units & Charges	7,055.66

Tax Map Number                      Amount

158.11-01-034.000	\$375.00
158.07-01-007.000	\$375.00
158.07-01-011.000	\$318.75
159.13-01-024.000	\$312.50
159.13-01-004.000	\$1,375.00
159.09-02-096.000	\$437.50
158.16-01-008.000	\$4,812.50
159.13-04-042.000	\$1,375.00
158.12-03-008.000	\$312.50
159.13-04-076.000	\$312.50
159.13-04-075.000	\$750.00
158.12-03-052.000	\$1,000.00
159.13-01-087.000	\$312.50

Total Tax Levy                      \$2,918,953.75

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		

**Agreement with CBCA:**

Motion made by Trustee Glass, seconded by Trustee Bardeen to approve the agreement with Clinton Brown Company Architecture, PC for the Technical Assistance Grant. All present were in favor and the motion was carried.

**BOCES Student to work at Street Department:**

Motion made by Trustee Coots, seconded by Trustee Sweet to approve BOCES Student to work for the Street Department for 2 weeks for 4 hours per day in April 2016. All present were in favor and the motion was carried.

**Procurement Policy:**

**RESOLUTION**

At a regular meeting of the Board of Trustees of the Village of Bath, New York, held on the 4th day of April, 2016

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 Glass, seconded by Trustee Bardeen, 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 4, 2016**

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:

**Estimated Amount of  
Purchase Contract**

**Method**

\$1,500-5,999

2 verbal quotations

\$6,000-19,999

3 written quotations

**Public Works Contract Method**

**Estimated Amount of**

\$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 54 cents/mile:**

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

Date Approved: Monday, April 4, 2016 Intro Date: Monday, April 4, 2016

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 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 54 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 4, 2016      Intro Date: Monday, April 4, 2016

Introduced by: Trustee Bardeen      Seconded by: Trustee Sweet

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.

**Approve BOND Payment Dates for 2016-2017:**

Motion made by Trustee Glass, seconded by Trustee Bardeen to approve the following BOND payments for the 2016-2017 fiscal year. All present were in favor and the motion was carried.

EFC Water Project – Interest on 7/15/16 for \$4,306.00  
DTC WWTP – Interest on 8/26/16 for \$58,275.17  
EFC Water Project – Principal and Interest on 10/1/16 for \$203,664.90  
Rural Development Two Fire Trucks – Interest on 11/9/16 for \$9,483.75  
DTC Substation/Distribution – Interest on 11/15/16 for \$87,425.00  
DTC Parking Lot – Interest on 11/15/16 for \$6,612.50  
Five Star Bank BEGWS Bucket Truck – Principal and Interest on 12/9/16 for  
\$115,565.20  
Five Star Bank Street Equipment – Principal and Interest on 12/9/16 for  
\$52,910.00  
EFC Water Project – Interest on 4/1/17 for \$57,877.30  
Rural Development Two Fire Trucks – Principal and Interest on 5/9/17 for  
\$51,483.75  
DTC Substation/Distribution – Principal and Interest on 5/15/17 for \$257,425.00  
DTC Parking Lot – Principal and Interest on 5/15/17 for \$61,612.50  
EFC WWTP – Principal and Interest on 5/15/17 for \$410,000.00

**Adjourn Reorganizational Meeting/Executive Session:**

Motion made by Trustee Glass, seconded by Trustee Sweet to adjourn the reorganizational meeting of the Board of Trustees of the Village of Bath at 5:24 p.m. to go into executive session for litigation and Supervisors Contracts. All present were in favor and the motion was carried.

**Return to Regular Session:**

Motion made by Trustee Glass, seconded by Trustee Bardeen to return to reorganizational session at 5:30 p.m. All present were in favor and the motion was carried.

**Approve Supervisors Contracts 2016-2018:**

Motion made by Trustee Bardeen, seconded by Trustee Sweet to approve the Supervisor's Contracts for June 2016 through May 2018. All present were in favor and the motion was carried.

**Adjournment:**

Motion made by Trustee Coats, seconded by Trustee Sweet to adjourn the reorganizational meeting at 5:31 p.m. All present were in favor and the motion was carried.

Respectfully submitted by:

Jacqueline Shroyer  
Clerk/Treasurer