

**OFFICIAL MINUTES OF THE BOARD OF TRUSTEES
FOR THE VILLAGE OF BATH
PUBLIC HEARING/REGULAR MEETING
AUGUST 21, 2017**

This meeting of the Board of Trustees of the Village of Bath was held on the 21st day of August 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 5:30 p.m.

Present:

Mayor:	William von Hagn	Clerk/Treasurer:	Jacqueline Shroyer
Deputy Mayor/Trustee:	Jeanne Glass	BEGWS Director:	Erin Bonacci
Trustee:	Mark Bardeen	Police Chief:	Chad Mullen
Trustee:	Michael Sweet	Fire Chief:	Robin Haven
Street Asst Superintendent:	Thomas Gutow	BEGWS Commission:	Keith Becken
Code Enforcement:	Ralph Senese	BEGWS Commission:	Vernan Anderson
Shade Tree Member:	Lee Cornaire	Shade Tree Member:	Jim Peek
Shade Tree Member:	Betty Langendorfer		

Absent:

Street Superintendent:	Jeff Muller
Attorney:	Patrick McAllister
Trustee:	Melanie Coots

Public Hearing:

Water/Sewer Rate Increases:

Opened Public Hearing at 5:30 p.m.

Randy Thomas, Town Resident attended and questioned the increases and what impacts these increases have.

Director, Erin Bonacci, responded:

Water rates would increase by 3%.

Water Unit Fees will go from \$6.50 to \$9.50.

Sewer rates would increase by 3%.

Sewer Unit Fees will go from \$6.00 to \$12.00.

Town residents will have a 25% surcharge on the minimum charge and the unit charge on both the water and sewer.

Town Residents will have a 50% surcharge on the usage rates.

This additional surcharge is there to encourage residents to live in the Village.

Motion made by Trustee Glass, seconded by Trustee Bardeen to close the public hearing at 5:36 p.m. All present were in favor and the motion was carried.

Regular Meeting:

Visitor:

Fred Moralle – 22 Gratton Drive:

Mr. Moralle visited to discuss a notice he received at his residence at 22 Gratton Drive. He received a notice about selling fire wood at his residence more than twice per calendar year, where the local law states a resident cannot have more than 2 yard sales per year. Mr. Moralle considers this sale of wood a cottage industry, not him running a yard sale.

The Village board recommended this go before the planning board as the local law needs more definition.

Motion made by Trustee Sweet, seconded by Trustee Glass to allow the Moralle's 60 days to continue running their sale and wait for the planning board to review the local law and will get back with them. All present were in favor and the motion was carried.

Audit of Bills:

Motion made by Trustee Sweet, seconded by Trustee Bardeen to approve the payment of the Village bills in the amount of \$668,699.70. All present were in favor and the motion was carried.

Department Head Reports:

Jeff Muller, Street Superintendent:

Street Report was not received due to vacation.

Chad Mullen, Police Chief:

Police Report was received.

Ralph Senese, Code Enforcement:

Code Enforcement Report was received.

Robin Havens, Fire Chief:

Fire Department Report was received.

Erin Bonacci, BEGWS Director:

BEGWS Minutes were received.

Jacqueline Shroyer, Clerk/Treasurer Report:

Clerk/Treasurer Report was received.

Motion made by Trustee Glass, seconded by Trustee Bardeen to Transfer \$200.00 from A9060.82 HRA – Dispatchers and \$26.88 from A9060.83 HRA – Contract Employees to A9060.81 HRA – Sworn Officers to cover new Sergeants HRA Benefit. All present were in favor and the motion was carried.

Committee Reports:

Mayor von Hagn:

Mayor von Hagn formed a Parking Meter Committee consisting of the following people:
Clerk/Treasurer – Jacqueline Shroyer

Mayor – William von Hagn
Trustee – Michael Sweet
Chief of Police – Chad Mullen
Street Superintendent – Jeff Muller
Parking Meter Repair Specialist – John Bogart
Business Owner – John Senka

Banner Requests:

Motion made by Trustee Sweet, seconded by Trustee Glass to authorize the Mayor to approve banner requests as they come in and to approve them for up to a week prior to the event and to be removed the next day after the event. All present were in favor and the motion was carried.

New Business:

Water/Sewer Rate Increases:

Motion made by Trustee Sweet, seconded by Trustee Glass to approve the 3% increase in water rates, increase the Water Unit from \$6.50 to \$9.50, revise sewer charge and rate structure consistent with the water utility, increase sewer rates by 3% and to increase the sewer unit from \$6.00 to \$12.00. All present were in favor and the motion was carried.

Moody Agreement for Main St. Grant:

Motion made by Trustee Bardeen, seconded by Trustee Glass to authorize the Mayor to sign the Moody Agreement for the Main Street Grant. All present were in favor and the motion was carried.

Justice Court Grant Resolution:

Municipal Resolution

Authorization of the Bath Village Court to apply for a 2017 Justice Court Assistance Program Grant

I, Jacqueline Shroyer, Clerk of the Village of Bath, 110 Liberty Street, Bath, NY 14810 do hereby certify that the following resolution was adopted at a meeting of the Village Board held on August 21, 2017, and is incorporated in the original minutes of said meeting, and that said resolution has not been altered, amended or revoked and is in full force and effect.

Upon the motion of Trustee Glass, seconded by Trustee Bardeen, and the Mayor and all the Trustees voting as follows:

Mayor William von Hagn	Aye
Trustee Jeanne Glass	Aye
Trustee Michael Sweet	Aye
Trustee Mark Bardeen	Aye
Trustee Melanie Coots	Not Present

RESOLVED, that the Bath Village Board does hereby authorize the Bath Village Court to file an application for funds from the New York State Unified Justice Court, in accordance with the provisions of the Justice Court Assistance Program in an amount not to exceed \$30,000, and upon arrival of said request to enter into and execute a project agreement with the State for such financial assistance to the Village of Bath.

Signature of Clerk

Lighting at Exit 38:

Motion made by Trustee Sweet, seconded by Trustee Bardeen to approve the Village to purchase a portable drive unit for a Holophane High-Mast Lowering Device to replace the lights at Exit 38 and to donate it to BEGWS. All present were in favor and the motion was carried.

Create New Position for Part Time CEO:

Motion made by Trustee Bardeen, seconded by Trustee Sweet to authorize the Village to create a new position with the county for a Part Time CEO. All present were in favor and the motion was carried.

Assistant Street Supervisor Attend Training:

Motion made by Trustee Sweet, seconded by Trustee Glass to approve the Assistant Street Supervisor to attend the Ellicottville Fall Conference for Training. All present were in favor and the motion was carried.

PBA Block Party:

Motion made by Trustee Bardeen, seconded by Trustee Glass to block off part of Pine Street from West Steuben St. to West William St. on August 27, 2017 from 2:00 to 5:00 p.m. for the Block Party the Bath PBA is hosting. All present were in favor and the motion was carried.

Parking Meter Repair Specialist:

Motion made by Trustee Bardeen, seconded by Trustee Sweet to authorize the Chief of Police, Chad Mullen, to hire Michael Jackson Jr. as a Part-Time Meter Repair Specialist at \$10.00/hour and a probationary period not to exceed 26 weeks. Michael will be replacing the position left vacant from John Bogart. All present were in favor and the motion was carried.

Adjourn Regular Meeting/Executive Session:

Motion made by Trustee Glass, seconded by Trustee Bardeen to adjourn the regular meeting of the Board of Trustees of the Village of Bath at 7:05 p.m. to go into executive session for contracts, personnel and possible litigation. BEGWS Director, Erin Bonacci were asked to stay for the first part of executive session. 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 regular session at 7:22 p.m. All present were in favor and the motion was carried.

207-C Resolution:

RESOLUTION
VILLAGE OF BATH BOARD OF TRUSTEES
BATH, NEW YORK

DATE APPROVED: Monday, August 21, 2017 INTRO. DATE: Monday, August 21, 2017

INTRODUCED BY: Trustee Bardeen SECONDED BY: Trustee Sweet

VOTE:	Mayor vonHagn	Aye	Nay	Abstain	Not Present
	Trustee Glass	Aye	Nay	Abstain	Not Present
	Trustee Bardeen	Aye	Nay	Abstain	Not Present
	Trustee Coots	Aye	Nay	Abstain	Not Present
	Trustee Sweet	Aye	Nay	Abstain	Not Present

**APPROVING GENERAL MUNICIPAL LAW SECTION 207-C PROCEDURE
AND SETTLEMENT AGREEMENTS WITH BATH POLICE BENEVOLENT ASSOCIATION,
INC.**

WHEREAS, the Village of Bath (“Village”) and the Bath Police Benevolent Association, Inc. (“PBA”) have concluded negotiations for a procedure for the administration of disability claims of police officers under Section 207-c of the New York State General Municipal Law; and

WHEREAS, the Village and the PBA have also reached settlements of two related matters before the New York State Public Employment Relations Board (“Board”) in PERB Case Nos. U-34929 and U-35192; and

WHEREAS, this Board has reviewed and hereby approves said Section 207-c Procedure and Memoranda of Agreement with the PBA regarding said PERB cases;

NOW, THEREFORE BE IT RESOLVED, that the Mayor be and hereby is authorized to execute the Section 207-c Procedure and the aforesaid Memoranda of Agreement on behalf of the Village.

Jacqueline Shroyer, Bath Village Clerk

Dated: August 21, 2017

PBA Outstanding Contractual Issues:

Motion made by Trustee Glass, seconded by Trustee Sweet to authorize the Mayor, William von Hagn, to execute the agreements with the PBA to settle the outstanding contractual issues with the PBA. All present were in favor and the motion was carried.

Adjournment:

Motion made by Trustee Bardeen, seconded by Trustee Glass to adjourn the regular meeting at 7:23 p.m. All present were in favor and the motion was carried.

Respectfully submitted by:

Jacqueline Shroyer
Clerk/Treasurer