

**OFFICIAL MINUTES OF THE BOARD OF TRUSTEES
FOR THE VILLAGE OF BATH
PUBLIC HEARING/REORGANIZATIONAL MEETING
APRIL 4, 2022**

This meeting of the Board of Trustees of the Village of Bath was held on the 4th day of April 2022 at the Village of Bath, Village Hall, located at 110 Liberty St., Bath, NY 14810. This meeting was called to order by Mayor, Michael Sweet, at 5:00 p.m.

Present:

Mayor:	Michael Sweet
Deputy Mayor/Trustee:	Karen Causer
Trustee:	Mark Bardeen
Trustee:	Melanie Coots
Trustee:	Jeffrey Muller
Chief of Police:	Colin Taft
Clerk/Treasurer:	Jacqueline Shroyer
Code Enforcement:	Bradley Hill
Street Superintendent:	Thomas Gutow
BEGWS Director:	Erin Bonacci
Sergeant:	JD Hawley
Police Officer:	Beau Roberson
K-9:	Bud
Sergeant:	Gregory Kulikowski
Dispatcher:	Patricia Ingraham – arrived at 5:07 p.m.
Meter Repair Specialist:	Kenneth Gilbert

Public Hearing:

Budget 2022 – 2023 – 0.00% Increase

Public hearing on the 2022 – 2023 budget was opened at 5:00 p.m.

No questions regarding the budget and no discussion.

Motion made by Trustee Coots, seconded by Trustee Bardeen to close the public hearing at 5:01 p.m. All present were in favor and the motion was carried.

Correspondence:

Hazel Buck – Wednesday Farmer’s Market:

Motion made by Trustee Coots, seconded by Trustee Muller to approve the request from Hazel Buck for the use of Pulteney Park for the Wednesday Farmer’s Market. There was discussion regarding the Wednesday Farmer’s Market regarding the past few year’s market Trustee Coots was going to reach out to Hazel to discuss the plan for this year. All present were in favor and the motion was carried.

Sunrise Easter Service:

Motion made by Trustee Bardeen, seconded by Trustee Muller to approve the request for the Bath Area Churches to hold a sunrise Easter service at Mossy bank Park on April 17, 2022 at 6:00 a.m. All present were in favor and the motion was carried.

Beau Roberson & Bud Commendation:

Motion made by Trustee Bardeen, seconded by Trustee Muller to approve the Narcotics Interdiction Commendation for Police Officer Roberson and K-9 Dog Bud for excellent performance of their duties above and beyond the call of duty for apprehending a major methamphetamine dealer in the Village. All present were in favor and the motion was carried.

Sergeant Hawley, Kenneth Gilbert, Police Officer Roberson and K-9 Bud all left the meeting at 5:11 p.m.

Appointments:

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

- Lee Cornaire (Chairperson) – Shade Tree Committee 3 Year Term
- Jim Pitt – Shade Tree Committee 3 Year Term
- Jim Hopkins – Shade Tree Committee 3 Year Term
- Lee Cornaire – Planning Board 3 Year Term
- Paul Hubbell – Planning Board 3 Year Term
- Rick Machuga – Zoning Board 3 Year Term
- Michael Flint - Zoning Board 3 Year Term
- Jeff Heil - Zoning Board 3 Year Term
- Chad Faulkner – Historical Preservation Commission 3 Year Term

New Business:

Budget 2022 – 2023:

Motion made by Trustee Muller, seconded by Trustee Bardeen to approve the Village of Bath’s 2022-2023 fiscal year budget with a 0.00% increase to taxes. All present were in favor and the motion was carried.

Mayoral Appointments:

Motion made by Trustee Bardeen, seconded by Trustee Causer to approve the following mayoral appointments for 2022-2023. All present were in favor and the motion was carried.

**2022-2023
Village of Bath
Mayoral Appointments**

- | | |
|-----------------------------------|---|
| Clerk/Treasurer (Two Year) | Jacqueline Shroyer (Term 4/4/2022 – 4/1/2024) |
| Deputy Clerk/Treasurer (One Year) | Stephany Bartusiak (Term 4/4/2022 – 4/3/2023) |
| Acting Village Justice (One Year) | Vernard Anderson (Term 4/4/2022 – 4/3/2023) |
| Registrar (Two Year) | Jacqueline Shroyer (Term 4/4/2022 – 4/1/2024) |

Deputy Registrar (One Year)
Deputy Mayor (One Year)
Official Newspaper
Official Depositories

Stephany Bartusiak (Term 4/4/2022 – 4/3/2023)
Karen Causer (Term 4/4/2022 – 4/3/2023)
The Corning Leader
Five Star Bank
Chemung Canal Trust Company

Designation of Areas of Responsibility of the Board:

Motion made by Trustee Coots, seconded by Trustee Bardeen to approve the following Liaison and committee appointments for 2022-2023. 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 Causer
Fire Department	Trustee Bardeen
Police Department	Trustee Bardeen
Street Department	Trustee Causer
Town of Bath	Trustee Causer
Village Hall	Mayor

Committees

Chamber of Commerce	Trustee Causer
Handicapped Accessibility	Trustee Muller
Historical Preservation	Trustee Bardeen
Housing Authority	Trustee Coots
Joint Economic Development	Mayor
John Southard Youth Recreation	Trustee Coots
Mossy Bank Park	Trustee Muller
Parks/Downtown	Trustee Coots
Planning Board	Trustee Muller
Shade Tree	Trustee Muller
Technology	Trustee Bardeen
Utilities	Trustee Muller
Zoning	Trustee Muller
Policies and Procedures	Trustee Causer
Employee Handbook	Trustee Causer
Village Sign	Trustee Muller
Comprehensive Plan	Trustee Causer
Street Lighting	Trustee Muller
Communications / Facebook	Trustee Coots

Village of Bath Meeting Dates:

Motion made by Trustee Muller, seconded by Trustee Bardeen to approve the following 2022-2023 Village meeting dates. All present were in favor and the motion was carried.

**Village of Bath
Meeting Dates for 2022 - 2023**

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, 2022	Regular Meeting
Monday May 16, 2022	Regular Meeting
Monday June 20, 2022	Regular Meeting
Monday July 18, 2022	Regular Meeting
Monday August 15, 2022	Regular Meeting
Monday September 19, 2022	Regular Meeting
Monday October 17, 2022	Regular Meeting
Monday November 21, 2022	Regular Meeting
Monday December 19, 2022	Regular Meeting
Tuesday January 17, 2023	Regular Meeting
Tuesday February 21, 2023	Regular Meeting
Monday March 20, 2023	Regular Meeting
Monday April 3, 2023	Re-Org Meeting

Village of Bath Holidays:

Motion made by Trustee Coots, seconded by Trustee Bardeen to approve the following Holidays for the Village of Bath. All present were in favor and the motion was carried.

**Village of Bath
2022-2023 Holidays**

Monday May 30, 2022	Memorial Day
Monday July 4, 2022	Independence Day
Monday September 5, 2022	Labor Day
Monday October 10, 2022	Columbus Day
Friday November 11, 2022	Veterans Day
Thursday November 24, 2022	Thanksgiving
Friday November 25, 2022	Day After Thanksgiving
Friday December 23, 2022	Christmas Eve
Monday December 26, 2022	Christmas
Friday December 30, 2022	New Year’s Eve
Monday January 2, 2023	New Year’s Day

Monday January 16, 2023
Monday February 20, 2023
Friday April 7, 2023

Martin Luther King Jr. Day
Presidents' Day
Good Friday

Tax Levy Resolution:

Resolution 04-04-2022

Upon the motion of Trustee Muller, seconded by Trustee Bardeen, to approve Resolution 04-04-2022 Tax Levy for 2022-2023.

Whereas, the Village Board of Trustees has adopted a budget for the fiscal year 2022-2023 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 2022-2023:

General Fund Tax Levy	\$2,974,170.00
Assessed Valuation	220,525,880.00
Tax Rate per 1000	13.48269
Total Taxes for 2022-2023 Budget	\$2,973,282.46
Delinquent Water Rents/Units & Charges	\$25,719.33
Delinquent Sewer Rents/Units & Charges	\$18,930.47
Omitted Tax Re-levies	\$887.54
Tax Map Number	Amount
Total Tax Levy	\$3,018,819.80

and the County of Steuben is authorized to collect these taxes and re-levies and the Mayor and all the Trustees voting as follows:

	AYE	NAY	ABSENT
Mayor Michael Sweet	X		
Trustee Mark Bardeen	X		
Trustee Jeffrey Muller	X		
Trustee Karen Causer	X		
Trustee Melanie Coots	X		

Investment Policy:

Motion made by Trustee Bardeen, seconded by Trustee Coots to approve the investment policy for the Village of Bath. All present were in favor and the motion is carried.

Mileage Reimbursement Rate IRS fixed Rate:

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

Date Approved: Monday, April 4, 2022 Intro Date: Monday, April 4, 2022

Introduced by: Trustee Coots Seconded by: Trustee Causer

Vote:	Mayor Sweet	Aye	Nay	Abstain	Absent
	Trustee Causer	Aye	Nay	Abstain	Absent
	Trustee Bardeen	Aye	Nay	Abstain	Absent
	Trustee Muller	Aye	Nay	Abstain	Absent
	Trustee Coots	Aye	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 IRS rate 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, 2022 Intro Date: Monday, April 4, 2022

Introduced by: Trustee Muller Seconded by: Trustee Bardeen

Vote:	Mayor Sweet	Aye	Nay	Abstain	Absent
	Trustee Causer	Aye	Nay	Abstain	Absent
	Trustee Bardeen	Aye	Nay	Abstain	Absent
	Trustee Muller	Aye	Nay	Abstain	Absent
	Trustee Coots	Aye	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 BEGWS Budget:

Motion made by Trustee Muller, seconded by Trustee Coots to approve the Bath Electric, Gas and Water Systems budget for 2022-2023 fiscal year. All present were in favor and the motion was carried.

Procurement Policy:

At a Reorganizational Meeting of the Board of Trustees of the Village of Bath, New York, held on April 4, 2022,

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 moved by Trustee Bardeen, seconded by Trustee Causer, with the Mayor and Trustees voting as follows:

Mayor Sweet	Aye
Trustee Causer	Aye
Trustee Bardeen	Aye
Trustee Coots	Aye
Trustee Muller	Aye

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

Village of Bath Procurement Policy

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 or competitive offers, taking into account past purchases or offers and the aggregate amount spent or received 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 or offer 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 or offeror detailing the circumstances which led to an emergency purchase or any other written documentation that is appropriate.

3. 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:

Purchase Contract Method

Estimated Amount of

\$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 or offeror is unable to obtain the required number of proposals or quotations, the purchaser or offeror 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.

4. 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 bidder. This documentation will include an explanation of how the award will achieve savings or how the lowest bidder was not responsible. A determination that the bidder is not responsible shall be made by the purchaser.

5. 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.

6. Minority- and Women-Owned Business Enterprise (M/WBE) Business Participation, Procurement and Contracting

In an effort to affirmatively increase procurement and contracting opportunities for minority- and women-owned business enterprises, the Village will solicit MBEs and/or WBEs as part of its procurement process, when appropriate. Solicitation may be undertaken via advertisements in minority publications or direct outreach by letter or email to identified State-

certified M/WBEs, or by working with a clearinghouse such as the Syracuse Minority Business Development Center. The Village's established purchase/contracting thresholds will apply. For purposes of the above, the M/WBE must be certified by Empire State Development (ESD) through the Division of Minority and Women Business Development (DMWBD). The Village will keep documentation of M/WBE solicitation in its records and any responses there to.

Section 3 Business Participation in Procurement and Contracting: For federally funded projects or activities subject to Section 3 of 24 CFR Part 135 of the Housing and Urban Development Act of 1968, as amended, the Village will, to the greatest extent feasible, facilitate participation of Section 3 residents and Section 3 businesses in the procurement of goods and services pursuant to its Section 3 Participation Plan.

Solicitation may be undertaken via advertisements in local publications encouraging Section 3 participation, or direct outreach by letter or email to identified Section 3 businesses or individuals included on the Department of Housing and Urban Development's Section 3 Businesses Registry. The Village's established purchase/contracting thresholds will apply. The Village will keep documentation of Section 3 solicitation in its records and any response(s) thereto.

Empire State Traffic Safety Conference April 6 & 7 – Taft:

Motion made by Trustee Muller, seconded by Trustee Coots to approve Chief of Police, Colin Taft, to attend the Empire State Traffic Safety Conference on April 6 & 7, 2022. All present were in favor and the motion was carried.

Adjournment:

Motion made by Trustee Muller, seconded by Trustee Bardeen to adjourn the regular meeting at 5:28 p.m. All present were in favor and the motion was carried.

Respectfully Submitted:

Jacqueline Shroyer
Clerk/Treasurer