

**OFFICIAL MINUTES OF THE BOARD OF TRUSTEES  
FOR THE VILLAGE OF BATH  
REGULAR MEETING  
MARCH 21, 2022**

This meeting of the Board of Trustees of the Village of Bath was held on the 21st day of March 2022 located at 110 Liberty Street, Bath NY 14810. This meeting was called to order by Mayor Michael Sweet at 5:30 p.m.

**Present:**

Mayor:	Michael Sweet
Deputy Mayor/Trustee:	Karen Causer
Trustee:	Melanie Coots
Trustee:	Jeffrey Muller
Trustee:	Mark Bardeen
Clerk/ Treasurer:	Jacqueline Shroyer
Street Supervisor:	Thomas Gutow
Attorney:	Aaron Mullen
Fire Chief:	Matt Glashauser
Chief of Police:	Colin Taft
Director of Utilities:	Erin Bonacci
Street Asst Superintendent:	Mike Bly
Code Enforcement:	Bradley Hill

**Visitors/Residents in Attendance:**

Dillon Lewis – Resident  
Kelly Fitzpatrick – Business Owner  
Dana Grover – Empire Access

**Audit of Bills:**

Motion made by Trustee Muller, seconded by Trustee Causer to approve the payment of the Village bills in the amount of \$103,186.95. All present were in favor and the motion was carried.

**Department Head Reports:**

**Thomas Gutow, Street Superintendent:**

Street Report was received.

**Colin Taft, Chief of Police:**

Police Report was received.

**Bradley Hill, Code Enforcement:**

Code Enforcement Report was received.

**Matthew Glashauser, Fire Chief:**

Fire Department Report was received.

**Erin Bonacci, BEGWS Director:**

BEGWS Minutes were received. Monthly report was received.

**Jacqueline Shroyer, Clerk/Treasurer Report:**

Clerk/Treasurer Report was received.

**New Business:**

**Empire Contract Discussion:**

Purchase price for WIFI extenders – if something breaks, it is our responsibility. If it’s broken, you pay to fix it. If it breaks down and they come out, they charge us.

36 month contract – prices won’t go up. Might go down, internet speed might go up for same price. It is a protection for 3 years. If new equipment comes out, they switch them out no charge, if we lease.

Board asked - Any guarantee for coverage? They decided they didn’t need as many as someone else suggested. Download and upload speed will be adequate for what the PD needs. If PD feels it’s not what was needed, they will come out and look at it.

**Approve PT Officer – Tyler Brzezinski:**

RESOLUTION  
VILLAGE OF BATH BOARD OF TRUSTEES  
BATH, NEW YORK

DATE APPROVED: Monday, March 21, 2022 INTRO. DATE: Monday, March 21, 2022

INTRODUCED BY: Trustee Coots SECONDED BY: Trustee Causer

VOTE:	Mayor Sweet	<b>Aye</b>	Nay	Abstain	Absent
	Trustee Causer	<b>Aye</b>	Nay	Abstain	Absent
	Trustee Bardeen	<b>Aye</b>	Nay	Abstain	Absent
	Trustee Coots	<b>Aye</b>	Nay	Abstain	Absent
	Trustee Muller	<b>Aye</b>	Nay	Abstain	Absent

TITLE: Appointment of Tyler Brzezinski as Part-time Police Officer for the Village of Bath.

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, Colin Taft, with approval of the Village Board, is authorized to maintain up to nine (9) part-time police officer positions, and is recommending that the Bath Village Board of Trustees appoint Tyler Brzezinski effective March 8, 2022, to the position of Part-time Police Officer contingent upon the following:

- 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 him after successfully completing the Basic Course for Police Officers.
- Tyler Brzezinski 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 Tyler Brzezinski to the position of Part-time Police Officer, contingent on the aforementioned stipulations and said appointment shall be effective March 8, 2022.

**School Resource Officer Discussion:**

Joe Rumsey has asked if the Village could find and coordinate a person for the school resource officer position. They request the village be a part of this to keep the relationship between the school and the Village. They would make one payment to us, an MOU for that position and vehicle from Village be at school. It will be a part time employee. Since he/she will work 40 hours per week during school year, they would sign with the Village stating they won't take health insurance. This won't cost us anything. Village Sergeant would supervise the resource officer during the day. They currently don't have anyone in that position who is supervised, and Village PD seems to be blindsided as they don't know what goes on at the school or does not know any of the students. Colin thinks the contract is year to year. What about who covers the insurance? Does school have a policy for police officer to be there? Attorney Mullen thinks we can put in the contract that they cover the insurance. Ask school to send us a copy of their current contract with the sheriff's office.

Motion made by Trustee Coots, seconded by Trustee Bardeen to be on board with us supplying the school resource officer. All present were in favor and the motion was carried.

**Steuben County Office of the Aging – Agreement Approval:**

Motion made by Trustee Bardeen, seconded by Trustee Coots to approve the memorandum of understanding with Steuben County Office of the Aging to guide the working relationship between Steuben County and Village of Bath to recruit, enroll, and interview volunteers for Mossy Bank. All present were in favor and the motion was carried.

**Nuisance Law – Set Public Hearing – April 18, 2022:**

Motion made by Trustee Muller, seconded by Trustee Causer to set the public hearing regarding the Nuisance Law for Monday, April 18, 2022 at 5:30 p.m. All present were in favor and the motion was carried.

**NYS Traffic Safety Conference:**

Motion made by Trustee Coots, seconded by Trustee Causer to approve Police Officers Ruggles and Roberson to attend the NYS Traffic Safety Conference on April 6 & 7, 2022. All present were in favor and the motion was carried.

**Set Public Hearing on Budget:**

Motion made by Trustee Coots, seconded by Trustee Bardeen to set the public hearing on fiscal year 2022-2023 budget for the Village's Reorganizational Meeting on Monday April 4, 2022 at 5:00 p.m. All present were in favor and the motion was carried.

**Approve Employee Assistance Program Service Agreement:**

Motion made by Trustee Coots, seconded by Trustee Causer to approve the Employee Assistance Program Service Agreement with Clinical Associates of the Southern Tier. All present were in favor and the motion was carried.

**Approve BID on GMC 3500:**

Motion made by Trustee Muller, seconded by Trustee Bardeen to approve the bid from Simmons-Rockwell for a new and unused 2022 GMC Sierra 3500 for \$65,000. All present were in favor and the motion was carried.

**Arbor Day Proclamation:**

Motion made by Trustee Muller, seconded by Trustee Bardeen to approve the Arbor Day Proclamation for April 29, 2022. All present were in favor and the motion was carried.

**PROCLAMATION**

**WHEREAS,** In 1873, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees, and

**WHEREAS,** this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska, and

**WHEREAS,** Arbor Day is now observed throughout the nation and the world, and

**WHEREAS,** trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce oxygen and provide habitat for wildlife, and

**WHEREAS,** trees in our village increase property values, enhance the economic vitality of business areas and beautify our community, and

**WHEREAS,** trees, wherever they are planted, are a source of joy and spiritual renewal, and

**WHEREAS,** Bath, New York has been recognized as a Tree City USA by the National Arbor Day Foundation and desires to continue its tree-planting ways,

**NOW THEREFORE,** I, Michael Sweet, Mayor of the Village of Bath, do hereby proclaim Friday, April 29, 2022 as

**ARBOR DAY**

in the Village of Bath, New York, and I urge all citizens to support efforts to protect our trees and woodlands and to support our Village’s urban shade tree program, and

**FURTHER,** I urge all citizens to plant trees to gladden the hearts and promote the well-being of present and future generations.

**DATED** this 21st day of March 2022

**Adjourn Regular Meeting/Executive Session:**

Motion made by Trustee Muller, seconded by Trustee Coots to adjourn the regular meeting of the Board of Trustees of the Village of Bath at 6:06 p.m. to go into executive session for the medical, financial, credit, or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal, or removal of a particular person or corporation, contracts, and potential litigation. All present were in favor and the motion was carried.

Street Superintendent, Thomas Gutow, was asked to stay. Left at 6:20 p.m.

Chief of Police, Colin Taft, and Code Enforcement, Brad Hill, was asked to join at 6:20 p.m.

RESOLUTION  
VILLAGE OF BATH BOARD OF TRUSTEES  
BATH, NEW YORK

DATE APPROVED: Monday, March 21, 2022 INTRO. DATE: Monday, March 21, 2022

INTRODUCED BY: Trustee Coots SECONDED BY: Trustee Bardeen

VOTE:	Mayor Sweet	<b>Aye</b>	Nay	Abstain	Absent
	Trustee Causer	<b>Aye</b>	Nay	Abstain	Absent
	Trustee Bardeen	<b>Aye</b>	Nay	Abstain	Absent
	Trustee Coots	<b>Aye</b>	Nay	Abstain	Absent
	Trustee Muller	<b>Aye</b>	Nay	Abstain	Absent

TITLE: The Mayor of the Village of Bath is authorized to institute any action or proceeding in accordance with Village Law Â§7-714

**WHEREAS**, the State of New York, through its legislature, has adopted the Marijuana Regulation and Taxation Act [the Act] and the Governor having signed the Act into law on or about March 31, 2021;

**WHEREAS**, the Act authorizes the selling of marijuana as defined in the Act as Cannabis;

**WHEREAS**, the Act requires the issuance of a license pursuant to Article 4 of the Act to engage in Adult-Use Cannabis sales, distribution and such other matters relating to Adult-Use Cannabis;

**WHEREAS**, officials from the State have indicated the issuance of no licenses in the State under the provisions of Article of the Act, which includes the Village of Bath;

**WHEREAS**, it is reported through the Zoning Officer that a certain properties located within the jurisdiction of the Village of Bath engage in the unlicensed sales of cannabis as controlled by Article 4 of the Act without a license to engage in such activity upon said premises, making such use under state and/or local zoning law unlawful and illegal;

**WHEREAS**, the Village Law of the State of New York §7-714 authorizes the Village through the proper local authorities of the Village to institute any appropriate action or proceeding to prevent any illegal act, business or use in and about such premises; it is hereby,

**RESOLVED**, that in accordance with §7-714 of the Village Law, the Mayor of the Village of Bath is authorized to institute any action or proceeding in accordance with Village Law §7-714 for the purposes so stated in Village Law §7-714 and that any such action or proceeding be instituted through the Village Attorney together with the aid and assistance of outside counsel as may be deemed prudent in the discretion of the Village Attorney.

Code Enforcement, Brad Hill, left at 6:45 p.m.

Chief of Police, Colin Taft, left at 7:04 p.m.

**Return to Regular Session:**

Motion made by Trustee Coots, seconded by Trustee Bardeen to return to regular session at 7:05 p.m. All present were in favor and the motion was carried.

**Empire Access Contract:**

Motion made by Trustee Muller, seconded by Trustee Bardeen to reverse a previous motion for Clerk/Treasurer, Jacqueline Shroyer, to go out to bid for phone and internet service. All present were in favor and the motion was carried.

Motion made by Trustee Bardeen, seconded by Trustee Coots to approve the Empire Access Contract, to include leasing the WIFI access points, for a 36-month term for WIFI access, internet and phone service. All present were in favor and the motion was carried.

**Adjournment:**

Motion made by Trustee Bardeen, seconded by Trustee Causer to adjourn the regular meeting at 7:07 p.m. All present were in favor and the motion was carried.

Respectfully submitted by:

Jacqueline Shroyer  
Clerk/Treasurer