

**OFFICIAL MINUTES OF THE BOARD OF TRUSTEES
FOR THE VILLAGE OF BATH
REGULAR MEETING
MARCH 20, 2023**

This meeting of the Board of Trustees of the Village of Bath was held on the 20th day of March 2023 located at 110 Liberty Street, Bath NY 14810. This meeting was called to order by Mayor Michael Sweet at 5:32 p.m.

Present:

Mayor:	Michael Sweet
Deputy Mayor/Trustee:	Karen Causer
Trustee:	Jeffrey Muller
Trustee:	Melanie Coots
Trustee:	Mark Bardeen
Clerk/ Treasurer:	Jacqueline Shroyer
Street Supervisor:	Thomas Gutow
Criminal Investigator:	Michael Jackson Jr.
Attorney:	Aaron Mullen
Deputy St. Superintendent:	Jason Causer
Director of Utilities:	Erin Bonacci
Code Enforcement:	Bradley Hill
Fire Chief:	Matt Glashauser

Absent:

Chief of Police:	Colin Taft
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Visitors/Residents in Attendance:

Dillon Lewis – Resident
Kelly Fitzpatrick – Business Owner/County Legislator
Nick Pelham – County Legislator
Jeff Robbins – Hunt Engineers
James Burns – Hunt Engineers
Pat White – Resident
Julie McCormick – Resident
Bridget Ortiz – Resident
Gary Ostrander – Resident
Julie Rock – Resident
Mike Rowland – Property Owner
Mary Gutow – Resident

Public Hearing:

CDBG Second Public Hearing:

Please see above for list of attendees.

The Village of Bath had a Housing Needs Assessment completed by Hunt Engineers. At the completion of the study, Hunt recommended sever action items for the future. Some

examples include continuing the focus on code enforcement and regulatory controls and addressing building codes necessary to accommodate individuals. Undertake and assemble “Community Investment” projects with targeted demolition on structures jeopardized by unsafe and environmental issues. Continue with revitalization of the downtown Liberty Street area.

Opened floor to discuss the findings and for public comment.

No comments from attendees on the CDBG Grant.

Motion made by Trustee Muller, seconded by Trustee Bardeen to close the public hearing at 5:34 p.m. All present were in favor and the motion was carried.

Visitor:

Mike Rowald:

Mike Rowald came to discuss the police department and the squatters in his apartment buildings. He has been trying to keep the squatters out of the buildings and says the police department will not help him make them abide by the laws. Mayor Sweet informed him to fill out a police department complaint form and to follow the complaint procedure steps.

Hunt Engineers – PD Renovation Bid Opening Discussion:

Jeff Robbins spoke about the PD Renovation bid opening from last Friday. We received one Bid from Kuehne Construction for \$648,250. With other opponents included, total project cost would come to \$760K. Spoke with contractor, can save a few thousand not tens of thousands. Board would like to table it until next month.

Patty White:

To speak in regards to a fence around the dog park. She has a petition of 62 residents who want a fence around the park. There is no privacy in my backyard now. Betty wanted that land to be a garden. Board thinks that we should look into a 6 foot chain link fence surrounding the entire lot.

Audit of Bills:

Motion made by Trustee Muller, seconded by Trustee Causer approve the payment of the Village bills in the amount of \$157,103.82. All present were in favor and the motion was carried.

Correspondence:

Phillip Glosick – Saturday Farmer’s Market Pulteney Park Request:

Motion made by Trustee Bardeen, seconded by Trustee Muller to approve the Pulteney Park Request from Phillip Glosick to use the park for the Saturday Farmer’s Market. 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.

Motion made by Trustee Bardeen, seconded by Trustee Coots to approve the following budget amendments for budget year 2022-2023. All present were in favor and the motion was carried.

Increase A3120.417 – Police Dept Ammo by \$1,000.00
Decrease A3120.47 – Police Dept Uniforms by \$1,000.00
To Cover costs of Ammo Expense

Increase A3120.48 – Police Dept Repairs by \$5,000.00
Decrease A3320.4 – Park Activities – Contractual by \$1,460.00
Decrease A1110.1 – Judicial Personal Services by \$3,540.00
To Cover Repair Costs for PD vehicles.

Increase A3310.4 – Traffic Control Contractual by \$3,998.78
Increase A2626 – Forfeiture of Crime Proceeds by \$3,998.78
To Cover Costs for Police Asset forfeiture.

Increase A5110.48 – Street – Repair by \$4,000.00
Decrease A5110.4 – Street Contractual by \$4,000.00
To cover repair costs on Street vehicles.

Increase A1420.4 – Attorney Contractual by \$2,300.00
Decrease A1990.4 – Contingent Account by \$2,300.00
To cover Attorney Costs.

Increase A5110.2 – Street Equipment by \$35,849.52
Decrease A5142.1 – Snow Removal Personal Services by \$25,000.00
Decrease A5182.4 – Street Lighting Contractual by \$10,849.52
To cover the cost of the Street Dept Backhoe.

Increase A6410.4 – Publicity Contractual by \$300.00
Decrease A4010.4 – Health Contractual by \$300.00
To cover Publication costs.

Increase A3410.41 – Fire Dept Heat by \$350.00
Decrease A3620.45 – Safety Inspection Telephone by \$350.00
To cover heating costs in municipal garage.

Increase A7141.4 – Mossy Bank Park by \$19,775.00
Decrease A1110.1 – Judicial Personal Services by \$11,000.00
Decrease A9060.8 – Health Insurance by \$8,775.00
To cover the costs of Mossy Bank Trash Cans.

New Business:

Set Public Hearing for Budget 2023-2024:

Motion made by Trustee Muller, seconded by Trustee Causer to set the public hearing on the budget for fiscal year 2023-2024 with a 1.83% tax increase for Monday April 3, 2023 at 5:00 p.m. All present were in favor and the motion was carried.

NYS Chief of Police Executive Training Course:

Motion made by Trustee Coots, seconded by Trustee Bardeen to approve Chief of Police, Colin Taft, to attend the NYS Chief of Police Executive Training Course March 20 – 24, 2023. All present were in favor and the motion was carried.

Temporary Full Time Officer Resolution:

RESOLUTION
VILLAGE OF BATH BOARD OF TRUSTEES
BATH, NEW YORK

DATE APPROVED: Monday, March 20, 2023 INTRO. DATE: Monday, March 20, 2023

INTRODUCED BY: Trustee Coots SECONDED BY: Trustee Bardeen

VOTE:	Mayor Sweet	Aye	Nay	Abstain
	Trustee Causer	Aye	Nay	Abstain
	Trustee Bardeen	Aye	Nay	Abstain
	Trustee Muller	Aye	Nay	Abstain
	Trustee Coots	Aye	Nay	Abstain

TITLE: Resolution authorizing Bath Police Chief Colin Taft to appoint Part-time Police Officer William Michalko to the position of “Temporary Full-Time Police Officer.”

WHEREAS, the Bath Village Chief of Police has informed the Bath Village Board of Trustees that effective, April 1, 2023, one (1) temporary full-time uniformed police officer full time status will be ending and it opens up a full time spot to be filled.

WHEREAS, Part-time Police Officer William Michalko will be appointed to the position of “Temporary Full-Time Police Officer”, effective, April 1, 2023, to cover the shift of a full-time police officer that has completed their temporary full time police officer status and Officer Michalko will remain in that position for 90 days.

WHEREAS, during the tendency of Michalko’s temporary full-time position, he shall enjoy all rights, benefits and privileges of a full-time bargaining unit member.

WHEREAS, Michalko understands and accepts that this position is a temporary full-time position.

BE IT RESOLVED, that the Village of Bath Board of Trustees hereby appoints Part-time Police Officer William Michalko to the Temporary Full-time Position of Police Officer, consistent with the stipulations of Steuben County Civil Service Rules and Regulations.

2023 Hard Hat Expo – Street Dept Employees:

Motion made by Trustee Coots, seconded by Trustee Muller to approve the Street Department Employees to attend the 2023 Hard Hat Expo from March 22 or 23, 2023 in Syracuse. All present were in favor and the motion was carried.

Parking Meter Post Discussion:

Mayor Sweet would like to cut the meter posts and fill the whole with concrete. Motion made by Trustee Coots, seconded by Trustee Bardeen to approve the Street Department to cut the meter posts and fill the holes with concrete. All present were in favor and the motion was carried.

Johnson Controls Service Agreement Approval:

Motion made by Trustee Coots, seconded by Trustee Bardeen to approve the Johnson Controls Service Agreement for Fire Protection for the Street Department Building. All present were in favor and the motion was carried.

Approve Intern Blake Walruth St. Dept:

Motion made by Trustee Coots, seconded by Trustee Bardeen to approve an intern, Blake Walruth, for the Street Department for a few weeks in April, pending union approval. A Certificate of Liability will need to be provided prior to the intern starting. All present were in favor and the motion was carried.

Declare List of Items as Surplus:

Motion made by Trustee Muller, seconded by Trustee Bardeen to declare the 2010 GMC one-ton and the 3 tamps from the Street Department as surplus. All present were in favor and the motion was carried.

Shopping Cart Policy Follow Up:

Motion made by Trustee Causer, seconded by Trustee Coots to set the public hearing on Chapter 50 Shopping Carts for the April Meeting once the date is set at the reorganization meeting, time will be 5:30 p.m. All present were in favor and the motion was carried.

Standardization of Cummins Power Generators Resolution:

RESOLUTION

At a duly noticed meeting of the Village Board of the Village of Bath held at the Village Hall, 110 Liberty Street, Bath, New York on the 20th day of March, 2023 at 5:30 P.M. whereat the following Board members were present:

Michael Sweet	Mayor
Karen Causer	Trustee
Mark Bardeen	Trustee
Melanie Coots	Trustee
Jeffrey Muller	Trustee

WHEREAS, the Village has committed to the installation of emergency standby power for critical Village facilities;

WHEREAS, there is a need for the standardization of Cummins power generators for the Village’s critical facilities, for reasons of efficiency and economy; said reasons being in part that this same manufacturer has been used by the Village for several years and will continue to provide consistent emergency standby power. In addition, the Village employees who work with these power generators, are fully familiar with this manufacturer and these power generators leading to more efficient and economical service of the power generators;

NOW, THEREFORE, upon motion of __Trustee Muller_____ and seconded by __Trustee Bardeen_____, the following resolution was proposed:

RESOLVED, that the Village of Bath hereby authorizes the standardization and purchase of Cummins power generators.

WHEREUPON, the roll call vote on the above resolution was taken and recorded as follows:

	Aye	Nay
Michael Sweet	___X___	_____
Karen Causer	___X___	_____
Mark Bardeen	___X___	_____
Melanie Coots	___X___	_____
Jeffrey Muller	___X___	_____

WHEREUPON, the Resolution was approved March 20, 2023.

Bid Furnish and Installation of Power Generators for Village Critical Facilities:

Motion made by Trustee Muller, seconded by Trustee Bardeen to approve Director of Municipal Utilities, Erin Bonacci, to go out to bid for the power generators. All present were in favor and the motion was carried.

Revised Resolution on Hotel Tax:

RESOLUTION
VILLAGE OF BATH BOARD OF TRUSTEES
BATH, NEW YORK

DATE APPROVED: Monday, March 20, 2023 INTRO. DATE: Monday, March 20, 2023

INTRODUCED BY: Trustee Muller SECONDED BY: Trustee Causer

VOTE:	Mayor Sweet	Aye	Nay	Abstain
	Trustee Causer	Aye	Nay	Abstain
	Trustee Bardeen	Aye	Nay	Abstain
	Trustee Muller	Aye	Nay	Abstain
	Trustee Coots	Aye	Nay	Abstain

**VILLAGE OF BATH
BOARD OF TRUSTEES RESOLUTION
SUBMITTING A HOME RULE REQUEST
FOR THE IMPOSITION OF A HOTEL TAX**

WHEREAS, the Village of Bath [Village] has secured an economic study demonstrating the erosion of the commercial base within the Village; and

WHEREAS, the Village desires to create a source of funds designated to rejuvenate the commercial base within the Village within the general fund of the Village; and

NOW, THEREFORE BE IT RESOLVED that this Board of Trustees of the Village of Bath hereby requests, in accordance with Home Rule Law section 10, that the following bills be adopted by the New York State Legislature:

1. A 4444, Authorizes an occupancy tax in the village of Bath, in Steuben county; provides for the repeal of such provisions upon expiration thereof; and
2. S 2251, Authorizes an occupancy tax in the village of Bath, in Steuben County; provides for the repeal of such provisions upon expiration thereof;

AND BE IT FURTHER, RESOLVED that the Mayor is authorized and directed to make the necessary filing(s) with the State General Assembly together with such other filings and requirements therefrom to secure the requested authorization.

Dated: March 20, 2023

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 6:51 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, Village Policies and potential litigation. All present were in favor and the motion was carried.

Fire Chief, Matt Glashauser asked to stay in executive session. Left at 7:00 p.m.

Return to Regular Session:

Motion made by Trustee Muller, seconded by Trustee Coots to return to regular session at 7:18 p.m. All present were in favor and the motion was carried.

Bath PBA MOA Approval:

Motion made by Trustee Muller, seconded by Trustee Causer to approve the Memorandum of Agreement between the Bath PBA and the Village regarding Criminal Investigator Jackson. Trustee Coots abstained and the motion was carried.

Adjournment:

Motion made by Trustee Coots, seconded by Trustee Causer to adjourn the regular meeting at 7:19 p.m. All present were in favor and the motion was carried.

Respectfully submitted by:

Jacqueline Shroyer
Clerk/Treasurer