

**1/*OFFICIAL MINUTES OF THE BOARD OF TRUSTEES
FOR THE VILLAGE OF BATH
REGULAR MEETING
SEPTEMBER 18, 2023**

This meeting of the Board of Trustees of the Village of Bath was held on the 18th day of September 2023 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: | Jeffrey Muller |
| Trustee | Melanie Coots |
| Trustee: | Mark Bardeen |
| Clerk/ Treasurer: | Jacqueline Shroyer |
| Street Supervisor: | Jason Causer |
| Code Enforcement: | Bradley Hill |
| Chief of Police: | Colin Taft |
| Attorney: | Aaron Mullen |
| Street Employee: | Tyler Haight |

Absent:

| | |
|------------------------|-----------------|
| Fire Chief: | Matt Glashauser |
| Director of Utilities: | Erin Bonacci |

Visitors/Residents in Attendance:

Kelly Fitzpatrick – Business Owner/County Legislator
Dillon Lewis – Resident – arrived at 5:48 p.m.
Jim Deats – Planning Board Member/Resident

Audit of Bills:

Motion made by Trustee Coots, seconded by Trustee Bardeen to approve the payment of the Village bills in the amount of \$388,743.92, plus \$211.38 for the AT&T bill. 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 Coots, seconded by Trustee Causer to approve the following budget amendments for budget year 2023-2024. All present were in favor and the motion was carried.

Increase A1620.2 Building – Equipment by \$121,404.49
Increase A4089 Federal Aid – Other by \$121,404.49
To Record ARPA Funds for Use for PD Renovations Project.

Increase A1620.2 Building – Equipment by \$300,000.00
Increase A599 Appropriated Fund Balance by \$300,000.00
To Record Fund Balance Approved for Use for PD Renovations Project.

Committee Reports:

Trustee Causer:

Motion made by Trustee Causer, seconded by Trustee Bardeen to approve the request from the Chamber of Commerce to use Pulteney Park on Saturday, October 28, 2023 from 6:00 – 8:30 p.m. for their annual Trunk or Treat. All present were in favor and the motion was carried.

New Business:

Trick or Treating – Tuesday October 31, 2023:

Motion made by Trustee Muller, seconded by Trustee Causer to approve Trick or Treating in the Village of Bath for Tuesday, October 31, 2023 from 6:00 – 8:00 p.m. All present were in favor and the motion was carried.

Accept Resignation Part Time Police Officer Brzezinski:

Motion made by Trustee Causer, seconded by Trustee Bardeen to accept the resignation from Part Time Police Officer, Tyler Brzezinski, effective September 8, 2023. All present were in favor and the motion was carried.

Approve Dodge Charger as Surplus & Send to Auction:

Motion made by Trustee Muller, seconded by Trustee Bardeen to approve the Dodge Charger for the Police Department as surplus and to approve the vehicle to go to auction. All present were in favor and the motion was carried.

Approve Annual K-9 Seminar October 15-19 – PO Roberson:

Motion made by Trustee Coots, seconded by Trustee Muller to approve Officer Roberson to attend the annual K-9 Seminar from October 15 – 19, 2023 in Himrod, NY. All present were in favor and the motion was carried.

Approve Problem Oriented Policing Course – Sgt. Johnson:

Motion made by Trustee Coots, seconded by Trustee Bardeen to approve the Problem Oriented Policing Course for Sergeant Johnson in Rochester, NY on August 22, 2023. All present were in favor and the motion was carried.

Approve NYSLRS Employer Education Seminar – Shroyer & Voss:

Motion made by Trustee Causer, seconded by Trustee Bardeen to approve Clerk/Treasurer, Jacqueline Shroyer, and Deputy Clerk/Treasurer, Samantha Voss, to attend the NYSLRS Employer Education Seminar in Painted Post, NY on September 15, 2023. All present were in favor and the motion was carried.

CVS Alley:

Motion made by Trustee Bardeen, seconded by Trustee Causer to accept the piece of property, known as the alleyway, by the old CVS on Liberty Street from the new owners and to instruct Attorney Mullen to work on the paperwork to take possession of the alley and the Village of Bath would start to maintain the property. All present were in favor and the motion was carried.

BOND Resolution:

BOND RESOLUTION

A RESOLUTION OF THE BOARD OF THE VILLAGE OF BATH AUTHORIZING THE ISSUANCE AND SALE OF A STATUTORY INSTALLMENT BOND IN AN AMOUNT NOT TO EXCEED \$249,854.51 TO FINANCE BUILDING RENOVATIONS.

WHEREAS, it is the informed opinion of Village Board (the “Board”) of the Village of Bath (the “Village”), Steuben County, New York that the remodeling of the police department, (the “Remodeling”) is beneficial to the Village for the furtherance of necessary operations and maintenance and shall be financed in part by the sale of a Statutory Installment Bond not to exceed \$249,854.51; and

WHEREAS, all funds from said bond will be utilized for said renovations; and

WHEREAS, for purposes of SEQR, this is an administrative Type II action under Part 617 of the NYCRR for which no additional environmental review is required;

NOW, THEREFORE BE IT RESOLVED BY THE Board of the Village of Bath, Steuben County, New York, as follows:

Section 1. The Board duly authorized the renovations and duly awarded and approved the contracts therefore for a total of \$707,321. The renovations are to be paid for by, among other means, a Statutory Installment Bond not to exceed the amount of \$249,854.51, or notes issued in

anticipation thereof, shall be issued by the Village to finance the renovations and is hereby authorized for said purpose.

Section 2. The plan for the financing of the aforesaid object or purpose consists of the issuance and sale of a Statutory Installment Bond of said Village, or notes issued in anticipation thereof, in a principal amount not to exceed Two hundred forty nine thousand eight hundred fifty four and 51/100 dollars (\$249,854.51), which bond is hereby authorized for such object and purpose, and the balance, if any, from other available funds. Such bond shall be payable in approximately equal installments of principal or of interest plus principal over five years and shall otherwise be of such terms, forms, and contents as the Village Treasurer shall prescribe.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid object or purpose is fifteen years (15), pursuant to Local Finance Law 12(a)(2). It is determined that the maximum maturity of the Statutory Installment Bond authorized hereby shall not exceed five (5) years.

Section 4. The faith and credit of said Village is hereby irrevocably pledged to the payment of the principal of and interest on such bond as the same, respectively, become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bond becoming due and payable in such year. There shall annually be levied on all the taxable real property in said Village a tax sufficient to pay the principal of and interest on such bond as the same becomes due and payable.

Section 5. The bond and any notes issued in anticipation thereof are hereby designated “a qualified tax-exempt obligation” pursuant to Section 902(b)(3)(B) of the Tax Reform Act of 1986, as provided in the Conference Report on H.R. 3838 on September 18, 1986.

Section 6. The Village of Bath is a political subdivision of the State of New York, and it is reasonably assumed that:

- i. The amount of “qualified tax exempt obligation,” with the meaning of Section 902(b)(3)(B) of H.R. 3838, which will be issued by the Village during 2023 does not exceed \$10,000,000.00;
- ii. The sum of the principal amount of the bond and the principal amount of any other obligation heretofore designated by the Village during 2023 for the purpose of such Section 902(b)(3)(B) does not exceed \$10,000,000.00; and
- iii. The bond designated herein is not a private activity bond (as defined in Section 14).

Section 7. The Village Treasurer may this sell bond at private sale and the purchaser may not convert the same into a registered bond.

Section 8. This resolution is not subject to permissive referendum pursuant to Local Finance Law §35.00 and Village Law §90 and shall take effect immediately.

The motion having been duly seconded by Trustee Coots, it was adopted by Trustee Bardeen, and the following votes were cast:

| <u>Name</u> | <u>AYE</u> | <u>NAY</u> | <u>Absent/ Abstain</u> |
|----------------|--------------|---------------|------------------------|
| Michael Sweet | <u> X </u> | <u> </u> | <u> </u> |
| Mark Bardeen | <u> X </u> | <u> </u> | <u> </u> |
| Melanie Coots | <u> X </u> | <u> </u> | <u> </u> |
| Karen Causer | <u> X </u> | <u> </u> | <u> </u> |
| Jeffrey Muller | <u> X </u> | <u> </u> | <u> </u> |

Dated: September 18, 2023

By order of the Board of Trustees of the Village of Bath, Steuben County, New York.

BAN Resolution:

BOND ANTICIPATION NOTE RESOLUTION

A RESOLUTION OF THE BOARD OF THE VILLAGE OF BATH AUTHORIZING THE ISSUANCE OF BOND ANTICIPATION NOTES TO FINANCE BUILDING RENOVATIONS

WHEREAS, the Village Board (the “Board”) of the Village of Bath (the “Village”), Steuben County, New York authorized the renovations to the municipal building, to be financed in party by the sale of a Statutory Installment Bond (the “Bond”) not to exceed \$249,854.51 by Resolution dated September 18, 2023;

WHEREAS, No bond anticipation notes have been issued in anticipation of said Bond and thus none are outstanding and this is not a renewal note;

NOW, THEREFORE BE IT RESOLVED BY THE Board of the Village of Bath, Steuben County, New York, as follows:

1. A bearer Bond Anticipation Note, V-1 of 5 from 2023 in the aggregate principal amount of \$249,854.51 shall be issued and sold to Community Bank, N.A., at a price of \$249,854.51 together with accrued interest, if any, to the date of delivery, such note being otherwise described as follows:

| TOTAL PRINCIPAL AMOUNT | NUMBER | DENOMINATION |
|--------------------------|--------------------|--------------|
| \$249,854.51 | V-1 of 5 from 2023 | \$249,854.51 |
| PREMIUM: | \$0.00 | |
| DATE: | October __, 2023 | |
| MATURITY: | October __, 2024 | |
| INTEREST RATE PER ANNUM: | 5.61% | |

PLACE OF PAYMENT: COMMUNITY BANK, N.A., Bath, New York 14810

2. The Note is not issued in anticipation of bonds for an assessable improvement.
3. The Village Treasurer, as the chief fiscal officer of the Village, is authorized to issue renewals of the bond anticipation note authorized herein, to issue new bond anticipation notes in anticipation of the Bond, and to issue renewals thereof.

The motion having been duly seconded, it was adopted and the following votes were cast:

| <u>Name</u> | <u>AYE</u> | <u>NAY</u> | <u>Absent/ Abstain</u> |
|----------------|--------------|---------------|------------------------|
| Michael Sweet | <u> X </u> | <u> </u> | <u> </u> |
| Mark Bardeen | <u> X </u> | <u> </u> | <u> </u> |
| Melanie Coots | <u> X </u> | <u> </u> | <u> </u> |
| Karen Causer | <u> X </u> | <u> </u> | <u> </u> |
| Jeffrey Muller | <u> X </u> | <u> </u> | <u> </u> |

Dated: September 18, 2023

By order of the Board of Trustees of the Village of Bath, Steuben County, New York.

Rescind Retirement for Patricia Ingraham:

Motion made by Trustee Muller, seconded by Trustee Bardeen to rescind the retirement resolution from August 21, 2023 that states “to approve the retirement letter from Patricia Ingraham for the Emergency Services Dispatch position effective September 16, 2023, with regret.” All present were in favor and the motion was carried.

Accept Resignation for Patricia Ingraham:

Motion made by Trustee Muller, seconded by Trustee Coots to accept the resignation letter from Patricia Ingraham for the Emergency Services Dispatch position effective September 16, 2023, with regret. All present were in favor and the motion was carried.

Adjourn Regular Meeting/Executive Session:

Motion made by Trustee Muller, seconded by Trustee Bardeen 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. All present were in favor and the motion was carried.

Street Superintendent, Jason Causer, asked to stay in executive session.

Trustee Coots excused herself from executive session at 6:08 p.m. Returned at 6:15 p.m.

Return to Regular Session:

Motion made by Trustee Muller, seconded by Trustee Bardeen to return to regular session at 6:15 p.m. 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 6:15 p.m. All present were in favor and the motion was carried.

Respectfully submitted by:

Jacqueline Shroyer
Clerk/Treasurer