

**OFFICIAL MINUTES OF THE BOARD OF TRUSTEES  
FOR THE VILLAGE OF BATH  
PUBLIC HEARING/REORGANIZATIONAL MEETING  
APRIL 1, 2024**

This meeting of the Board of Trustees of the Village of Bath was held on the 1st day of April 2024 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:	Jeffrey Muller
Trustee:	Melanie Coots
Chief of Police:	Colin Taft
Clerk/Treasurer:	Jacqueline Shroyer
Code Enforcement:	Bradley Hill
Street Superintendent:	Jason Causer
BEGWS Director:	Erin Bonacci

**Absent:**

Trustee:	Mark Bardeen
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**Public Hearing:**

**Budget 2024 – 2025 – 1.91% Increase**

Public hearing on the 2024 – 2025 budget with a 1.91% increase was opened at 5:00 p.m.

No questions regarding the budget and no discussion.

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

**Swearing in of Mayor:**

Mayor Michael Sweet took the Oath of Office.

**Swearing in of Trustees:**

Trustee Jeffrey Muller took the Oath of Office.

Trustee Karen Causer took the Oath of Office.

**Correspondence:**

**Hazel Buck – Wednesday Farmer’s Market:**

Motion made by Trustee Causer, seconded by Trustee Muller to approve the Pulteney Park Request from May through October for the Wednesday Farmer’s Market for 2024. All present were in favor and the motion was carried.

**Appointments:**

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

Sherman Lyke – Historical Preservation – 3 Year Term  
Maryellen Becken - Planning Board - 3 Year Term  
Pete Langendorfer – Shade Tree - 3 Year Term  
Jeff Muller – Shade Tree – 3 Year Term  
Greg Muller - Shade Tree - 3 Year Term  
Nate Longwell – Shade Tree - 3 Year Term  
Maureen Fisher – Housing Authority Chairperson, 5 Year Term 29  
Peter Langendorfer - Housing Authority – 5 Year Term 2028  
Joy Palmer - Housing Authority - 5 Year Term 2028  
Joseph Baroody - Housing Authority - 5 Year Term 2029  
John McKinley - Housing Authority - 5 Year Term 2029

**New Business:**

**Budget 2024 – 2025:**

Motion made by Trustee Muller, seconded by Trustee Causer to approve the Village of Bath’s 2024-2025 fiscal year budget with a 1.91% increase to taxes. All present were in favor and the motion was carried.

**Approve BEGWS Budget:**

Motion made by Trustee Muller, seconded by Trustee Coots to approve the Bath Electric Gas & Water System’s 2024-2025 fiscal year budget. All present were in favor and the motion was carried.

**Mayoral Appointments:**

Motion made by Trustee Muller, seconded by Trustee Causer to approve the following mayoral appointments for 2024-2025. All present were in favor and the motion was carried.

**2024-2025  
Village of Bath  
Mayoral Appointments**

Clerk/Treasurer (Two Year)	Jacqueline Shroyer
Registrar (Two Year)	Jacqueline Shroyer
Deputy Clerk/Treasurer (One Year)	Samantha Voss
Acting Village Justice (One Year)	Bruce Cornell
Deputy Registrar (One Year)	Samantha Voss
Deputy Mayor (One Year)	Karen Causer
Official Newspaper	The Corning Leader
Official Depositories	Five Star Bank
	Chemung Canal Trust Company
	Community Bank

**Designation of Areas of Responsibility of the Board:**

Motion made by Trustee Muller, seconded by Trustee Causer to approve the following Liaison and committee appointments for 2024-2025. All present were in favor and the motion was carried.

**Liaison 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 Causer
Street Department	Trustee Muller
Town of Bath	Trustee Bardeen
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 Causer
Shade Tree	Trustee Muller
Technology	Trustee Bardeen
Utilities	Trustee Muller
Zoning	Trustee Causer
Policies and Procedures	Trustee Bardeen
Employee Handbook	Trustee Coots
Village Sign	Trustee Coots
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 Causer to approve the following 2024-2025 Village meeting dates. All present were in favor and the motion was carried.

**Village of Bath  
Meeting Dates for 2024 – 2025**

Official meeting will be held on the third Monday of each month unless stated otherwise. Meetings will be held at the Village Court 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 15, 2024	Regular Meeting
Monday May 20, 2024	Regular Meeting
Monday June 17, 2024	Regular Meeting
Monday July 15, 2024	Regular Meeting
Monday August 19, 2024	Regular Meeting
Monday September 16, 2024	Regular Meeting
Monday October 21, 2024	Regular Meeting
Monday November 18, 2024	Regular Meeting
Monday December 16, 2024	Regular Meeting
Tuesday January 21, 2025	Regular Meeting
Tuesday February 18, 2025	Regular Meeting
Monday March 17, 2025	Regular Meeting
Monday April 7, 2025	Re-Org Meeting

**Village of Bath Holidays:**

Motion made by Trustee Muller, seconded by Trustee Coots to approve the following 2024-2025 Holidays for the Village of Bath. All present were in favor and the motion was carried.

**Village of Bath  
2024-2025 Holidays**

Monday May 27, 2024	Memorial Day
Thursday July 4, 2024	Independence Day
Monday September 2, 2024	Labor Day
Monday October 14, 2024	Columbus Day
Monday November 11, 2024	Veterans Day
Thursday November 28, 2024	Thanksgiving
Friday November 29, 2024	Day After Thanksgiving
Tuesday December 24, 2024	Christmas Eve
Wednesday December 25, 2024	Christmas
Tuesday December 31, 2024	New Year’s Eve
Wednesday January 1, 2025	New Year’s Day
Monday January 20, 2025	Martin Luther King Jr. Day
Monday February 17, 2025	Presidents’ Day
Friday April 18, 2025	Good Friday

**Tax Levy Resolution:**

**Resolution 04-01-2024**

Upon the motion of Trustee Coots, seconded by Trustee Causer, to approve Resolution 04-01-2024 Tax Levy for 2024-2025.

Whereas, the Village Board of Trustees has adopted a budget for the fiscal year 2024-2025 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 2024-2025:

General Fund Tax Levy	\$3,086,443.00
Assessed Valuation	260,805,042.00
Tax Rate per 1000	11.83429
Total Taxes for 2024-2025 Budget	\$3,085,597.59
Delinquent Water Rents/Units & Charges	\$12,570.66
Delinquent Sewer Rents/Units & Charges	\$14,097.59
Omitted Tax Re-levies	\$845.41
Tax Map Number	Amount
NONE	
Total Tax Levy	\$3,113,111.25

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 Muller, seconded by Trustee Coots to approve the investment policy for the Village of Bath for 2024-2025. 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 1, 2024

Intro Date: Monday, April 1, 2024

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	<b>Absent</b>
	Trustee Muller	<b>Aye</b>	Nay	Abstain	Absent
	Trustee Coots	<b>Aye</b>	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 1, 2024

Intro Date: Monday, April 1, 2024

Introduced by: Trustee Muller

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	<b>Absent</b>
	Trustee Muller	<b>Aye</b>	Nay	Abstain	Absent
	Trustee Coots	<b>Aye</b>	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.

**Procurement Policy:**

At the Reorganizational Meeting of the Board of Trustees of the Village of Bath, New York, held on April 1, 2024,

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; and

WHEREAS, the Village further desires, regardless of whether it is required to be listed in the procurement policy, to memorialize alternate procedures that otherwise comply with Section 103 of the General Municipal Law or other areas of law;

NOW, upon motion moved by Trustee Muller, seconded by Trustee Coots, with the Mayor and Trustees voting as follows:

Mayor Sweet	Aye
Trustee Causer	Aye
Trustee Bardeen	Absent
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 §§103(1) and 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 competitive bidding 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. In addition to acceptable alternative procedures listed in paragraph 5 below, the following method of purchase will be used for purchasing goods and services below the goods and services competitive bidding requirements listed in GML 103 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

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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. Alternative Procedures to Competitive Bidding, Exceptions to Competitive Bidding, and Explanations of Processes

Pursuant to General Municipal Law §104-b, 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 be in the best interests of the Village to use alternative procurement methods as allowed by law:

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. Best Value. Best value purchasing may be for goods or services of any amount (even when the amounts exceed the \$20,000 and \$35,000 thresholds in GML 103(1)). The Village Board may award purchase contracts, including contracts for service work, on the basis of "best value" as the term is defined in New York State Finance Law § 163. All contracts or purchase orders awarded based on best value bidding bases shall require Village Board approval.

(1.) Applicability. Best Value applies to even to purchase contracts involving an expenditure of \$20,000 or more and Village contracts for services involving an expenditure of \$35,000 or more, but exclude purchase contracts necessary for the completion of a public works contract pursuant to Article 8 of the New York Labor Law and any other contract that may in the future be excluded under State law from the best value option.

(2.) Standard for Best Value. Goods and services procured and awarded on the basis of best value are those that the Village Board determines optimize quality, cost and efficiency among responsive and responsible bidders, as may be more particularly set forth in this Procurement Policy adopted by the Village and as amended, hereafter and from time-to-time, by the Village Board.

Where possible, the determination shall be based on an objective and quantifiable analysis of clearly described and documented criteria as they apply

to the rating of bids or offers. The criteria may include, but shall not be limited to, any or all of the following:

- Past performance
- Availability/Lead times
- Qualifications
- Schedule
- Quality
- Performance-based criteria
- Cost of maintenance
- Proximity
- Product life
- Warranties
- Efficiencies created through fleet, plant, or product uniformity

Documentation. Whenever any contract is awarded on the basis of best value instead of lowest responsible bidder, the basis for determining best value shall be thoroughly and accurately documented.

F. Piggybacking of Purchases. The village may utilize the provisions of the General Municipal Law § 103 to piggyback whenever allowed by law, including but not limited to the following situations and criteria:

(1.) Pursuant to General Municipal Law § 103 the Village of Bath may purchase through the bids solicited and bid lists generated by the United States Government and New York State (and its political subdivisions and School Districts) whenever such bids or bid lists are generated in a manner as complies with said § 103.

(2.) If not a bid or list generated by a New York State governmental body or agency, then whenever such contract or bid lists were let in a manner consistent with or materially equivalent to the requirements of the State of New York as reflected in the policy and language of said § 103.

(3.) The Village may also piggyback upon any contract or foreign bid or bid list specifically approved for piggybacking through the New York State Office of General Services, as well as foreign bids and bid lists (mainly, of sister States) that meet the above criteria for piggybacking.

(4.) It should be noted that in certain circumstances, favorable contracts will be the result of a mini bid process. For the avoidance of any doubt, the Village may utilize such contracts as long as they otherwise comply with law.

G. Cooperative Purchasing. (1) Utilization. Cooperative purchasing may be utilized. This is the action taken when two or more entities combine their requirements to obtain advantages of volume purchases, including administrative savings and other benefits. A variety of arrangements, whereby two or more public procurement entities (or agencies) purchase from the same supplier or multiple suppliers using a single Invitation for Bids (IFB) or Request for Proposals (RFP). Cooperative procurement efforts may result in contracts that other entities may “piggyback.” (e.g, PDF Pg. 7 of 26, [https://ogs.ny.gov/system/files/documents/2019/05/29\\_Cooperative%20Procurement.pdf](https://ogs.ny.gov/system/files/documents/2019/05/29_Cooperative%20Procurement.pdf))

(2) A cooperative contract is created when all agencies establish their requirements together and go out to bid for those requirements in a coordinated effort. Cooperative purchasing leverages purchasing volume and provides greater savings. This is when two or more local entities seek to purchase goods or services together, resulting in greater purchasing power and cost savings. Any city, town, village, county, fire or school district, BOCES, and improvement districts can sign an intergovernmental cooperative agreement to seek procurement together. (PDF Pg. 3 of 26, <https://nyssfa.com/resources/resource-library/cooperative-purchasing-piggybacking/199-cooperative-contracts-and-piggybacking/file>).

## 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.

## 7. Equal Employment Opportunity

**Policy Statement:** The Village of Bath is an Equal Opportunity Employer. The Village offers equal opportunity employment and employs qualified individuals, regardless of race, religion, age, national origin, sex, color, disability, citizenship, sexual orientation, creed, marital status, pregnancy, arrest/conviction record, genetic predisposition or carrier status, familial status, gender identity, veteran status, or any other class or status protected by federal, state, or local law. In accordance with this policy, and State and Federal laws, all employees or applicants have an equal opportunity for employment based upon qualifications and Village needs. No person shall be discriminated against in application for employment, in hiring, in employment compensation, benefits, training, on-the-job treatment, transfer or opportunity for advancement. The will practice good faith efforts to achieve equality of opportunity at all levels.

Likewise, the Board of Trustees prohibits employees, vendors, suppliers, visitors, customers, and any other non-employee from discriminating against Village of Bath employees based on these protected groups. Discrimination based on any of the above is strictly prohibited. The Village is responsible for ensuring that equal opportunity policy and principles comply with the Federal and State laws and that regulations are properly implemented. Employees are encouraged to discuss that equal opportunity employment policy with their immediate supervisor or the Village Mayor.

**Complaint Procedure:** An employee who believes that the actions or words of an employee or non-employee have violated this policy should report the behavior to the Village immediately. Any employee who violates this policy or knowingly retaliates against an employee reporting or complaining of a violation of this policy may be subject to immediate disciplinary action, up to and including termination from employment. Refer to Section 9.6 – Complaint Procedure and Investigations for information regarding how to file a complaint and the Village's investigation procedures.

Retaliation for filing a complaint is strictly prohibited.

### **Reappointment of Section 3 Coordinator:**

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

Date Approved: Monday, April 1, 2024

Intro Date: Monday, April 1, 2024

Introduced by: Trustee Coots

Seconded by: Trustee Muller

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

**RESOLUTION DESIGNATING A SECTION 3 OFFICER  
FOR THE VILLAGE OF BATH**

**WHEREAS**, the Village of Bath is a recipient of the Community Development Block Grant (CDBG) funding through the United States Department of Homes and Community Renewal, administered by the New York State Governor’s Office for Small Cities; and

**WHEREAS**, the rules and regulations governing the Community Development Block Program require that the Village of Bath be responsible for ensuring compliance with Section 3 of the Housing and Urban Development Act of 1968, as amended, including the appointment of a Section 3 Officer to review and/or oversee compliance; now, therefore, be it

**RESOLVED**, that Bradley Hill, Village Code Enforcement Officer shall be designated as the Section 3 Officer for the Village of Bath for the 2024-25 Fiscal Year; and be it further

**RESOLVED**, that the position of Section 3 Officer shall be renewed annually.

**RESOLVED**, that the Village Board may, on its own initiative or on petition, amend, supplement, or repeal the provisions of this resolution in conformity with applicable rules and regulations and in their interpretation and application, the provisions of this resolution shall be held to be minimum requirements, adopted for the promotion of the public health, morals, safety, or the general welfare. Whenever the requirements of this resolution are at variance with the requirements of any other lawfully adopted rules, regulations, or ordinances, the most restrictive, or that imposing the highest standards, shall govern; and be it further

**RESOLVED**, that this Resolution shall take effect immediately.

**Labor Standards Officer:**

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

Date Approved: Monday, April 1, 2024

Intro Date: Monday, April 1, 2024

Introduced by: Trustee Muller

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

**RESOLUTION DESIGNATING A LABOR STANDARDS OFFICER  
FOR THE VILLAGE OF BATH**

**WHEREAS**, the Village of Bath is a recipient of the Community Development Block Grant (CDBG) funding through the United States Department of Homes and Community Renewal, administered by the New York State Governor’s Office for Small Cities; and

**WHEREAS**, the rules and regulations governing the Community Development Block Program require that the Village of Bath to be responsible for ensuring compliance with Davis Bacon and Related Labor Standards Acts including the appointment of a Labor Standards Officer to review and/or oversee compliance; now, therefore, be it

**RESOLVED**, that Erin Bonacci, Director of Municipal Utilities, shall be designated as the Labor Standards Officer for the Village of Bath for the 2024-25 Fiscal Year; and be it further

**RESOLVED**, that the position of Labor Standards Officer shall be renewed annually.

**RESOLVED**, that the Village Board may, on its own initiative or on petition, amend, supplement, or repeal the provisions of this resolution in conformity with applicable rules and regulations and in their interpretation and application, the provisions of this resolution shall be held to be minimum requirements, adopted for the promotion of the public health, morals, safety, or the general welfare. Whenever the requirements of this resolution are at variance with the requirements of any other lawfully adopted rules, regulations, or ordinances, the most restrictive, or that imposing the highest standards, shall govern; and be it further

**RESOLVED**, that this Resolution shall take effect immediately.

**Fair Housing Officer:**

**RESOLUTION FOR FAIR HOUSING PLAN AND FAIR HOUSING OFFICER  
Village of Bath, New York**

At a Regular Meeting of the Board of Trustees of the Village of Bath, New York, held on April 1, 2024,



WHEREAS, the Board of Trustees of the Village of Bath, New York hereby adopted Steuben County's Fair Housing Plan, which was developed in accordance with: Title I of the Housing and Community Development Act of 1974, as amended The Fair Housing Act (Public Law 90-284, 42 USC 3601-20) Human Rights Law of the State of New York (Executive Law, Article 15), and

WHEREAS, in accordance with Steuben County's Fair Housing Plan, the Board of Trustees of the Village of Bath, New York shall appoint a Fair Housing Officer,

NOW, upon motion moved by Trustee Coots, seconded by Trustee Muller, with the Mayor and Trustees voting as follows:

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

NOW THEREFORE BE IT RESOLVED, that the Village of Bath Code Enforcement Officer be and is hereby designated as the Village of Bath's Fair Housing Officer, and will:

1. Post Fair Housing and Affirmative Action posters in the Village Hall.
2. Place Fair Housing advertisements in official newspaper(s).
3. Post Fair Housing information on the Village's website.
4. Document housing discrimination complaints on a standard form.
5. Forward copies of all complaints to and, when appropriate, consult with the Fair Housing/Equal Opportunity Division of the HUD Office in Buffalo and/or the New York State Division of Human Rights in Rochester.
6. Compile information about fair housing-related services available to Village residents.
7. Host trainings for both residents and public and private stakeholders to promote information sharing amongst all interested parties.
8. Designate April as Fair Housing Month

**Shade Tree Proclamation:**

Motion made by Trustee Coots, seconded by Trustee Muller to approve the 2024 Shade Tree Proclamation for Arbor Day. All present were in favor and the motion was carried.

**Evidence Property Room School:**

Motion made by Trustee Causer, seconded by Trustee Muller to approve Sergeant Johnson and Police Officer Hockaday to attend the Evidence Property Room School March 21 – 22, 2024. All present were in favor and the motion was carried.

**Set Public Hearing on Restore NY:**

Motion made by Trustee Muller, seconded by Trustee Coots to set the public hearing on the Restore NY grant for Monday, April 15, 2024 at 5:30 p.m. All present were in favor and the motion was carried.

**Approve Jeff Rodbourn for Village Maintenance Worker:**

Motion made by Trustee Muller, seconded by Trustee Causer to approve Jeff Rodbourn as the new Village Maintenance Worker effective April 10, 2024. All present were in favor and the motion was carried.

**Approve Going Out to Bid for Paving on Parking Lot:**

Motion made by Trustee Muller, seconded by Trustee Causer to approve Street Superintendent to go out to bid for paving of the Municipal Building Parking Lot. All present were in favor and the motion was carried.

**Approve Going Out to Bid for GMC 3500:**

Motion made by Trustee Muller, seconded by Trustee Coots to approve Street Superintendent to go out to bid for a New GMC 3500. All present were in favor and the motion was carried.

**Village of Bath Water Tanks Replacement:**

**Resolution:**

Motion made by Trustee Muller, seconded by Trustee Causer to authorize the preparation and submission of the NYSEFC WIIA Grant/DWSRF financing applications, and to authorize Mayor and Clerk/Treasurer to execute agreement(s) and other document(s) as necessary to fulfill the Village’s obligations for the grant/financing program requirements. All present were in favor and the motion was carried.

**SEQR Resolution:**

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

Date Approved: Monday, April 1, 2024 Intro Date: Monday, April 1, 2024

Introduced by: Trustee Muller Seconded by: Trustee Coots

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

**A RESOLUTION, DATED APRIL 1, 2024, OF THE VILLAGE OF BATH,  
COUNTY OF STEUBEN, NEW YORK AS TO SEQR DETERMINATION.**

WHEREAS, the Board of Trustees of the Village of Bath, located in the County of Steuben, State of New York (the “Village”), desires to finance improvements to the Village’s water distribution system consisting of (i) the demolition of two existing water tanks within the Village, (ii) the construction of one 1,500,000 gallon water tank (Mt. Washington) and one 1,000,000 gallon water tank (Maple Heights) at each existing site, and (iii) appurtenant and related site work improvements, at a maximum cost not to exceed \$7,000,000 (the “Project”); and

WHEREAS, said Project is subject to classification under the State Environmental Quality Review Act (“SEQRA”); and

WHEREAS, improvements that include the “replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site”, are classified as Type II Actions under the current Department of Environmental Conservation SEQRA Regulations (Section 6 NYCRR 6.17.5(c)(2)); and

WHEREAS, the SEQRA Regulations declare Type II Actions to be actions that require no further review under SEQRA; and

WHEREAS, the Board of Trustees, as the only involved agency, has examined all information related to the Project and has determined that the Project is classified as a Type II Action pursuant to Section 6.17.5(c)(2) of the SEQRA Regulations;

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees hereby declares itself lead agency in connection with the requirements of SEQRA; and

BE IT FURTHER RESOLVED that the Board of Trustees hereby declares that the Project is a Type II Action, which requires no further review under SEQRA.

**Bond Resolution for BEGWS:**

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

Date Approved: Monday, April 1, 2024 Intro Date: Monday, April 1, 2024

Introduced by: Trustee Muller 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

**BOND RESOLUTION OF THE BOARD OF TRUSTEES OF THE  
VILLAGE OF BATH, STEUBEN COUNTY, NEW YORK (THE**

**“VILLAGE”), AUTHORIZING THE VILLAGE TO FINANCE THE COST OF IMPROVEMENTS TO THE VILLAGE’S WATER DISTRIBUTUION SYSTEM; STATING THE MAXIMUM ESTIMATED COST THEREOF IS \$7,000,000; APPROPRIATING SAID AMOUNT THEREFOR; AND AUTHORIZING THE ISSUANCE OF UP TO \$7,000,000 IN SERIAL BONDS OF THE VILLAGE TO FINANCE A PORTION OF SAID APPROPRIATION**

**WHEREAS**, the Board of Trustees (the “Board of Trustees”) of the Village of Bath, Steuben County, New York (the “Village” or the “Issuer”) is considering undertaking improvements to the Village’s water distribution system consisting of (i) the demolition of two existing water tanks within the Village, (ii) the construction of one 1,500,000 gallon water tank (Mt. Washington) and one 1,000,000 gallon water tank (Maple Heights) at each existing site, and (iii) appurtenant and related site work improvements (collectively, the “Project”), all at a total estimated maximum cost of \$7,000,000 and the issuance of up to \$7,000,000 in serial bonds of the Village to finance a portion of the cost of the Project; and

**WHEREAS**, the Board of Trustees determined that the Project constitutes a “Type II” action under the New York State Environmental Quality Review Act and the regulations promulgated thereunder (6 NYCRR Part 617.5(c)(1)) (collectively, “SEQRA”) and therefore no further action need be taken by the Board of Trustees under SEQRA as a pre-condition to the adoption of this resolution; and

**WHEREAS**, the Board of Trustees now wishes to appropriate funds for the Project and to authorize the issuance of the Village’s serial bonds and bond anticipation notes to be issued to finance the aforementioned specific object or purpose.

**NOW, THEREFORE, BE IT RESOLVED, BY THE BOARD OF TRUSTEES OF THE VILLAGE OF BATH, STEUBEN COUNTY, NEW YORK** (by the favorable vote of not less than two-thirds of all the members of such body), **AS FOLLOWS:**

**SECTION 1.** The Village is hereby authorized to undertake the Project, and to issue up to \$7,000,000 principal amount of serial bonds (including, without limitation, statutory installment bonds) pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (the “Law”) to finance the estimated cost of said specific object or purpose, or bond anticipation notes in anticipation of such bonds.

**SECTION 2.** It is hereby determined that the maximum estimated cost of the aforementioned specific object or purpose is \$7,000,000, said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of (i) the issuance of up to \$7,000,000 in serial bonds of the Village authorized to be issued pursuant to Section 1 of this resolution, or bond anticipation notes issued in anticipation of such serial bonds to finance said appropriation, (ii) the application of any Federal or State grant monies received by the Village to either directly pay or reimburse a portion of the cost of the Project and/or to repay a portion of any such bond anticipation notes issued under the authority of this resolution, (iii) the possible application of current funds from the Village’s water utility account, and (iv) to the extent necessary, the levy

and collection of taxes on all the taxable real property in the Village to pay the principal of said bonds or bond anticipation notes and the interest thereon as the same shall become due and payable.

### SECTION 3.

(a) It is hereby determined that the object or purpose referenced in Section 1 hereof is described in subdivision 1 of paragraph (a) of Section 11.00 of the Law, and that the period of probable usefulness of said object or purpose is 40 years.

(b) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

(c) The amount authorized to be applied to the object or purpose referenced in Section 1 hereof from the proceeds of the obligations authorized herein shall be reduced *pro tanto* by the amount of grants received by the Village for such object or purpose.

SECTION 4. The temporary use of available funds of the Village, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized pursuant to Section 165.10 of the Law, for the capital purposes described in this resolution. The Village shall reimburse such expenditures with the proceeds of the bonds or bond anticipation notes authorized by this resolution. This resolution shall constitute a declaration of "official intent" to reimburse the expenditures authorized herein with the proceeds of the bonds and bond anticipation notes authorized herein, as required by United States Treasury Regulations Section 1.150-2.

SECTION 5. Each of the serial bonds authorized by this resolution and any bond anticipation notes issued in anticipation of said bonds shall contain the recital of validity prescribed by Section 52.00 of the Law and said serial bonds and any bond anticipation notes issued in anticipation of said bonds shall be general obligations of the Village, payable as to both principal and interest by a general tax upon all the real property within the Village subject to applicable statutory limits, if any. The faith and credit of the Village are hereby irrevocably pledged to the punctual payment of the principal and interest on said serial bonds and bond anticipation notes and provisions shall be made annually in the budget of the Village by appropriation for (a) the amortization and redemption of the bonds and bond anticipation notes to mature in such year and (b) the payment of interest to be due and payable in such year.

SECTION 6. Subject to the provisions of this resolution and of the Law, pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of serial bonds and bond anticipation notes or the renewals of said obligations and of Sections 21.00, 50.00, 54.90, 56.00 through 60.00, 62.10 and 63.00 of the Law, the powers and duties of the Board of Trustees relative to authorizing serial bonds and bond anticipation notes and prescribing terms, form and contents as to the sale and issuance of bonds herein authorized, including without limitation the determination of whether to issue bonds having substantially level or declining debt service and all matters related thereto, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, are hereby delegated to the Village Treasurer, as

the chief fiscal officer of the Village (the "Village Treasurer"). Further, in connection with bonds and bond anticipation notes issued under the authority of Section 1 hereof, the power to issue and sell bonds or bond anticipation notes to the New York State Environmental Facilities Corporation pursuant to Section 169.00 of the Law is hereby delegated to the Village Treasurer. Such bonds or notes shall be of such terms, form and contents as may be prescribed by said Treasurer consistent with the provisions of the Local Finance Law. Further, pursuant to paragraph b. of Section 11.00 of the Law, in the event that bonds to be issued for any of the objects or purposes authorized by this resolution are combined for sale, pursuant to paragraph c. of Section 57.00 of the Law, with bonds to be issued for one or more objects or purposes authorized by other resolutions of the Board, then the power of the Board to determine the "weighted average period of probable usefulness" (within the meaning of paragraph a. of Section 11.00 of the Law) for such combined objects or purposes is hereby delegated to the Village Treasurer, as the chief fiscal officer of the Village.

SECTION 7. The Village Treasurer is hereby further authorized, at her sole discretion, to execute a project financing and loan agreement, and any other agreements with the Rural Development and/or New York State Department of Environmental Conservation and/or the New York State Environmental Facilities Corporation, including amendments thereto, and including any instruments (or amendments thereto) in the effectuation thereof, in order to effect the financing or refinancing of the specific object or purpose described in Section 1 hereof, or a portion thereof, by a serial bond, a statutory installment bond and/or a bond anticipation note issue in the event of the sale of same to the Rural Development and/or New York State Environmental Facilities Corporation.

SECTION 8. The Village Treasurer is hereby further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the bonds authorized by this resolution and any notes issued in anticipation thereof, as excludable from gross income for federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") and to designate the bonds authorized by this resolution and any notes issued in anticipation thereof, if applicable, as "qualified tax-exempt bonds" in accordance with Section 265(b)(3)(B)(i) of the Code.

SECTION 9. The Village Treasurer is further authorized to enter into a continuing disclosure undertaking with or for the benefit of the initial purchasers of the bonds or notes in compliance with the provisions of Rule 15c2-12, promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934.

SECTION 10. The intent of this resolution is to give the Village Treasurer sufficient authority to execute those applications, agreements and instruments, or to do any similar acts necessary to affect the issuance of the aforesaid serial bonds or bond anticipation notes without resorting to further action of the Board of Trustees.

SECTION 11. In accordance with Section 36.00 of the Law, this resolution is subject to a permissive referendum in the manner prescribed by Article Nine of the Village Law of the State of New York (the "Village Law"). The Village Clerk is authorized and directed, within ten (10) days after the date of adoption of this resolution by the Board of Trustees, to post and publish a

notice with respect to this resolution satisfying the requirements of Section 9-900 of the Village Law, which shall set forth the date of adoption of this resolution, shall contain an abstract hereof, and shall specify that this resolution was adopted subject to a permissive referendum. Such notice shall be published in the official newspaper of the Village for such purposes.

SECTION 12. In accordance with the Village Law, this resolution will take effect thirty (30) days after the date of its adoption, unless prior to the close of such thirty-day period there is filed with the Village Clerk a petition, subscribed and acknowledged by at least twenty percent (20%) of the qualified electors of the Village, as shown on the Village's register of electors for the last general Village election, protesting against this resolution and requesting that it be submitted for approval or disapproval by the qualified electors of the Village. If such a qualifying petition is filed, a proposition for approval of this resolution shall be submitted at a regular election held not less than ten (10) and not more than sixty (60) days after the filing of such petition.

SECTION 13. The validity of the bonds authorized by this resolution and of any bond anticipation notes issued in anticipation of said bonds may be contested only if:

(a) such obligations are authorized for an object or purpose for which the Village is not authorized to expend money; or

(b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or

(c) such obligations are authorized in violation of the provisions of the constitution.

SECTION 14. As soon as reasonably possible after the date that this resolution takes effect, the Village Clerk is hereby authorized and directed to cause a copy of this resolution, or a summary thereof, to be published in full in the official newspaper of the Village for such purposes, together with a notice of the Village Clerk in substantially the form provided in Section 81.00 of the Law.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

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

The resolution was thereupon declared duly adopted by a vote of   4   ayes and   0   nays.

Dated: April 1, 2024

**Approve Dispatcher and Village Clerks for Notary Course:**

Motion made by Trustee Muller, seconded by Trustee Causer to approve Dispatcher Dowdle, Village Clerk/Treasurer Shroyer and Deputy Village Clerk/Treasurer Voss to attend a Notary Course and complete the notary examination. All present were in favor and the motion was carried.

**Village of Bath Water Service Line Inventory Project:**

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

Date Approved: Monday, April 1, 2024                      Intro Date: Monday, April 1, 2024

Introduced by: Trustee Muller                                      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	<b>Absent</b>
	Trustee Muller	<b>Aye</b>	Nay	Abstain	Absent
	Trustee Coots	<b>Aye</b>	Nay	Abstain	Absent

**RESOLUTION WITH REFERENCE TO THE PROPOSED  
VILLAGE OF BATH, STEUBEN COUNTY, NY  
WATER SERVICE LINE INVENTORY PROJECT  
LEAD SERVICE LINE INVENTORY GRANT**

**WHEREAS**, on June 30, 2023, the Village of Bath was awarded a Bipartisan Infrastructure Law Lead Service Line Inventory grant through the Drinking Water State Revolving Fund in the amount of \$1,382,000 to complete Lead Service Line Inventory as required by the United States Environmental Protection Agency: and

**WHEREAS**, affordability for Village residents and property owners is a significant concern in advancement of the proposed project:

**NOW, THEREFORE, be it RESOLVED as follows:**

1. The Village Board authorizes the undertaking of the Water Service Line Inventory Project, In support of the Lead Service Line Inventory grant, and the maximum total cost of the project to be \$1,382,000.



2. The Village Board authorizes Municipal Solutions, Inc. to prepare an application to the Drinking Water State Revolving Fund administered by the NYS Environmental Facilities Corporation to secure the grant.

3. The Village Board authorizes Mayor Michael Sweet, as chief executive officer, and Clerk/Treasurer Jacqueline Shroyer, as chief fiscal officer, of the Village of Bath to execute a grant agreement and any other forms or documents required to secure the grant funds from the Drinking Water State Revolving Fund.

**Adjournment:**

Motion made by Trustee Coots, seconded by Trustee Muller to adjourn the regular meeting at 5:19 p.m. All present were in favor and the motion was carried.

Respectfully Submitted:

Jacqueline Shroyer  
Clerk/Treasurer