

**OFFICIAL MINUTES OF THE BOARD OF TRUSTEES
FOR THE VILLAGE OF BATH
REGULAR MEETING
MAY 20, 2024**

This meeting of the Board of Trustees of the Village of Bath was held on the 20th day of May 2024 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:	Mark Bardeen
Trustee:	Melanie Coots
Clerk/ Treasurer:	Jacqueline Shroyer
Attorney:	Aaron Mullen
Fire Department:	David Dowdle
Street Supervisor:	Jason Causer
Chief of Police:	Colin Taft
Code Enforcement Officer:	Bradley Hill

Absent:

Director of Municipal Utilities:	Erin Bonacci
Fire Chief:	Michael Fiordo

Visitors/Residents in Attendance:

Kelly Fitzpatrick –County Legislator
Nick Pelham – County Legislator
Calvan Uram – Town Resident
Dillon Lewis – Village Resident
Nathan Uram – Village of Bath Street Department Employee, Town Resident
Members of Bath Village Police Department president for commendation
Michael Walden – Village of Bath Street Department Employee
Tyler Haight – Village of Bath Street Department Employee

Commendation:

Sergeant Ruggles & Officer Michalko:

Chief Taft presented a commendation to Sergeant Ruggles and Officer Michalko for excellent performance of their duties above and beyond the call of duty for seizing an illegal loaded handgun in the Village of Bath.

Members of Bath Village Police Department left the Regular Meeting at 5:33 p.m.

Correspondence:

Pulteney Park Request – Peaceful Protest:

Motion made by Trustee Coots, seconded by Trustee Bardeen to table the Pulteney Park Request from Joshua Valley as there is no date and time requested. All present were in favor and the motion was carried.

Chamber of Commerce – Music in the Park:

Motion made by Trustee Muller, seconded by Trustee Coots to approve the Pulteney Park Request from the Chamber of Commerce for their annual Music in the Park from July 10 – August 7, 2024. All present were in favor and the motion was carried.

Mossy Bank – Bike Race:

Motion made by Trustee Muller, seconded by Trustee Coots to approve the request from the Mossy Bank Committee for their annual bike race at Mossy Bank on August 4, 2024. All present were in favor and the motion was carried.

Audit of Bills:

Motion made by Trustee Bardeen, seconded by Trustee Coots, to approve the payment of the Village bills in the amount of \$228,559.35, plus the Kuehne Construction bill for \$11,580.50. All present were in favor and the motion was carried.

Visitor:

Brown & Brown – John Condon:

Food Bank Agreement:

Motion made by Trustee Causer, seconded by Trustee Bardeen to approve the Food Bank of the Southern Tier Mobile Food Pantry Program Agreement for use of our Municipal Parking Lot once a month. All present were in favor and the motion was carried.

John from Brown & Brown discussed the renewal quote for the Village/BEGWS Insurance. The final lowest price after receiving other insurance quotes is \$230,227.00 from Travelers. The cost increases were due to Law Enforcement Liability (as all Police Departments are increasing) and the values of assets and fleet inventory have increased.

Christina Leasure – Cheerleading Use of Gym:

Discussed issues with coordinator for Bath Youth Cheerleading and ways to allow them to continue to rent the gym upstairs in the municipal building. Gave a list of issues we have had in prior years to Christina.

Department Head Reports:

Jason Causer, Street Superintendent:

Street Report was received.

Colin Taft, Chief of Police:

Police Report was received.

Bradley Hill, Code Enforcement:

Code Enforcement Report was received.

Michael Fiordo, Fire Chief:

Fire Department Report was received.

Erin Bonacci, BEGWS Director of Municipal Utilities:

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 Muller, to approve the following budget amendments for the 2023-2024 fiscal year. All present were in favor and the motion was carried.

Increase A3120.419 Police Dept – Auxiliary by \$1,000.00
Decrease A3120.415 Police Dept – Physicals by \$1,000.00
To Cover the costs of Police Officer physicals.

Increase A3120.11 Police Dept – Dispatch Personnel by \$3,500.00
Decrease A3120.1 Police Dept – Personnel by \$3,500.00
To cover the costs of the dispatcher salary.

Increase A3120.418 Police Dept – Education by \$3,000.00
Decrease A1990.4 Contingent Account by \$3,000.00
To cover the costs of continuing education stated in contract.

Increase A5110.2 Street Dept – Equipment by \$54,500.00
Decrease A1990.4 Contingent Account by \$20,175.00
Decrease A5142.4 Snow Removal Contractual by \$34,325.00
To Cover the Costs of Street Equipment approved by the board.

Increase A3410.4 Fire Dept Contractual by \$47,418.00
Increase A1120 Non-Property Tax by \$47,418.00
To Cover the Costs of Fire Dept Protective Gear.

Increase A7140.4 Downtown Parks Contractual by \$3,420.00
Increase A2401 Interest & Earnings by \$3,420.00
To Cover costs of additions to Dog Park.

Increase A9060.8 Health Insurance by \$33,000.00
Increase A1120 Interest & Earnings by \$33,000.00
To cover the costs not budgeted for new employee's health insurance.

Increase A1420.4 Attorney Contractual by \$830.00
Decrease A1325.413 Clerk – General Code by \$830.00

To Cover Attorney Costs for May.

Increase A1620.4 Building Contractual by \$2,000.00

Decrease A1620.41 Building Heat by \$2,000.00

To cover costs of building supplies.

Increase A3120.2 Police Equipment by \$9,861.34

Decrease A1910.4 Unallocated Insurance by \$9,200.00

Decrease A1990.4 Contingent Account by \$661.34

To cover the costs of Furniture for Renovations.

Increase A3120.43 Police Dept Contracts by \$250.00

Decrease A3120.42 Police Dept Gas & Oil by \$250.00

To Cover the costs of the copier overages.

Increase A5110.414 Street Dept – Landfill by \$705.00

Decrease A5110.413 Street Dept – Repairs by \$705.00

To cover the costs garbage fees for new company.

Increase A7141.41 Mossy Bank – Nature Center by \$400.00

Decrease A5182.4 Street Lighting by \$400.00

To cover the costs of Mossy Bank Committee Expenses.

Increase A9730.7 Bond Anticipation Note Interest by \$1.41

Decrease A1325.4 Clerk Contractual by \$1.41

To cover the costs of BAN interest.

Increase A3120.2 Police Dept Equipment by \$76,545.00

Increase A1120 Non-Property Tax by \$72,000.00

Increase A2401 Interest & Earning by \$4545.00

To Cover Costs of Tahoe for next fiscal year.

Increase A3620.48 Safety Inspection – Repairs by \$10.00

Decrease A3620.4 Safety Inspection – Contractual by \$10.00

Reverse Budget Amendments:

Decrease A5110.2 Street Dept Equipment by \$217,824.59

Decrease A4089 Federal Aid by \$217,824.59

Snow Plow will not be built until June/July 2024.

Decrease A1620.2 Building Equipment by \$18,100.00

Decrease A4089 Federal Aid by \$18,100.00

BEGWS Portion of Generator Expenses.

Committee Reports:
Trustee Causer:
Pro-Housing Communities Resolution:

RESOLUTION
VILLAGE OF BATH BOARD OF TRUSTEES
BATH, NEW YORK

DATE APPROVED: Monday, May 20, 2024 INTRO. DATE: Monday, May 20, 2024

INTRODUCED BY: Trustee Coots SECONDED BY: Trustee Bardeen

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

**PRO-HOUSING COMMUNITIES RESOLUTION FOR
VILLAGE OF BATH**

WHEREAS, the Village of Bath (hereinafter “local government”) believes that the lack of housing for New York residents of all ages and income levels negatively impacts the future of New York State’s economic growth and community well-being;

WHEREAS, the housing crisis has negative effects at regional and local levels, we believe that every community must do their part to contribute to housing growth and benefit from the positive impacts a healthy housing market brings to communities;

WHEREAS, we believe that supporting housing production of all kinds in our community will bring multiple benefits, including increasing housing access and choices for current and future residents, providing integrated accessible housing options that meet the needs of people with sensory and mobility disabilities, bringing economic opportunities and vitality to our communities, and allowing workers at all levels to improve their quality of life through living closer to their employment opportunities;

WHEREAS, we believe that evidence showing that infill development that reduces sprawl and supports walkable communities has significant environmental and public health benefits; and

WHEREAS, we believe that affirmatively furthering fair housing and reducing segregation is not only required by law, but is essential for keeping our community strong and vibrant;

NOW, THEREFORE, BE IT RESOLVED, that Village of Bath, in order

to take positive steps to alleviate the housing crisis, adopts the Pro- Housing Communities pledge, which will have us endeavor to take the following important steps:

1. Streamlining permitting for multifamily housing, affordable housing, accessible housing, accessory dwelling units, and supportive housing.
2. Adopting policies that affirmatively further fair housing.
3. Incorporating regional housing needs into planning decisions.
4. Increasing development capacity for residential uses.
5. Enacting policies that encourage a broad range of housing development, including multifamily housing, affordable housing, accessible housing, accessory dwelling units, and supportive housing.

New Business:

Approve Insurance Renewal:

Motion made by Trustee Muller, seconded by Trustee Causer to approve the insurance renewal with Travelers through Brown & Brown at a renewal rate of \$230,227. All present were in favor and the motion was carried.

Schedule Year-End Abstract Meeting:

Motion made by Trustee Coots, seconded by Trustee Bardeen to schedule the year-end abstract meeting for Thursday May 30, 2024 at 4:30p.m. All present were in favor and the motion was carried.

Approve Principled Policing Instructor Course:

Motion made by Trustee Causer, seconded by Trustee Bardeen to approve Investigator Jackson to attend Principled Policing Instructor Course in Rochester from June 25 – 28, 2024. All present were in favor and the motion was carried.

Approve Part-Time Police Officer:

RESOLUTION
VILLAGE OF BATH BOARD OF TRUSTEES
BATH, NEW YORK

DATE APPROVED: Monday, May 20, 2024 INTRO. DATE: Monday May 20, 2024

INTRODUCED BY: Trustee Causer SECONDED BY: Trustee Coots

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

TITLE: Appointment of Frederick Klock as Part-time Police Officer for the Village of Bath.

WHEREAS, the 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 Frederick Klock effective May 21, 2024, 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.
- Frederick Klock 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 Frederick Klock to the position of Part-time Police Officer, contingent on the aforementioned stipulations and said appointment shall be effective May 21, 2024.

Mossy Bank Donation Discussion:

Motion made by Trustee Muller, seconded by Trustee Bardeen to accept the donation from Brian Markham for new windows in the Nature Center and approve the Street Department Crews to install the windows. All present were in favor and the motion was carried.

Approve Bid for GMC 3500:

Motion made by Trustee Coots, seconded by Trustee Bardeen to approve the bid for the GMC 3500 from Simmons Rockwell in the amount of \$54,500. All present were in favor and the motion was carried.

Street Dump Body – Utility Truck:

Motion made by Trustee Bardeen, seconded by Trustee Coots to approve the purchase of a dump body for the Street Department Utility Truck from Wilbri in the amount of \$19,738.64. All present were in favor and the motion was carried.

Western Plow – GMC 3500:

Motion made by Trustee Coots, seconded by Trustee Bardeen to approve the purchase of a western plow for the Street Department's GMC 3500 in the amount of \$6,318.64. All present were in favor and the motion was carried.

Discussion Parking Lot Bid:

Motion made by Trustee Muller, seconded by Trustee Bardeen to reject the Parking Lot Bid from A.L. Blades in the amount of \$74,120.00. All present were in favor and the motion was carried.

Discussion on Purchase of a Side-by-Side:

Motion made by Trustee Coots, seconded by Trustee Bardeen to approve the purchase of a side-by-side from Bobcat in the amount of \$35,435.52. All present were in favor and the motion was carried.

Additional Budget Amendments:

Motion made by Trustee Bardeen, seconded by Trustee Muller, to approve the following budget amendments for the 2023-2024 fiscal year. All present were in favor and the motion was carried.

Increase A5110.2 Street Equipment by \$19,738.64
Decrease A5142.1 Snow Removal Personal Services by \$17,553.00
Increase A2401 Interest & Earnings by \$2,185.64
To Order Dump Body for Utility Truck.

Increase A5110.2 Street Equipment by \$6,318.64
Increase A2401 Interest & Earnings by \$6,318.64
To order Plow for GMC 3500.

Increase A5110.2 Street Equipment by \$35,435.52
Increase A2401 Interest & Earnings by \$35,435.52
To Order Side by Side for Sidewalks.

Superintendent Highway School:

Motion made by Trustee Coots, seconded by Trustee Bardeen to approve Street Superintendent, Jason Causer, and Assistant Supervisor, Tyler Haight, to attend Superintendent High School from June 3 – 5, 2024. All present were in favor and the motion was carried.

Fire-End Quote – Turn Out Gear:

Motion made by Trustee Bardeen, seconded by Trustee Muller to approve the Fire Department to purchase a quantity of 10 turn out gears from Fire-End & Croker Corp in the amount of \$47,418.00. All present were in favor and the motion was carried.

Approve Contractor Payment for PD Renovations:

Motion made by Trustee Causer, seconded by Trustee Bardeen to approve the Capital Projects Invoices for the Police Department Renovations Projects out of the capital account as follows:

Kuehne Construction - \$37,160.52
All present were in favor and the motion was carried.

Water Service Line Inventory Project – Type II SEQR Resolution:

RESOLUTION
VILLAGE OF BATH BOARD OF TRUSTEES
BATH, NEW YORK

DATE APPROVED: Monday, May 20, 2024 INTRO. DATE: Monday May 20, 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 Coots	Aye	Nay	Abstain	Absent
	Trustee Muller	Aye	Nay	Abstain	Absent

**RESOLUTION ADDRESSING STATE ENVIRONMENTAL QUALITY REVIEW (SEQR)
STATUS FOR PROPOSED WATER SERVICE LINE INVENTORY, FUNDED BY BIL LEAD
SERVICE LINE INVENTORY GRANT PROGRAM**

Resolution recognizing the inventory of water service lines for the Village of Bath public water system to be Type II action for SEQR purposes.

WHEREAS, the Village of Bath (Village) administers the public water system; and

WHEREAS, the Village has considered the condition of its water distribution system currently in use and has identified investigations necessary for proper operation of the public water supply system; and

WHEREAS, a project is proposed to take inventory of existing service connections; and

WHEREAS, this project is more fully described in the August 2022 Lead Service Line Inventory and Replacement Project Engineering Report prepared by Larson Design Group, a professional engineering consulting firm; and

WHEREAS, the documentation of the existing service connections will help determine future improvements to provide safe and efficient operation of the distribution system; and

WHEREAS, the Village Board recognizes the need to complete SEQR proceedings for this project; and

WHEREAS, 6 NYCRR Section 617.5 (Title 6 of the New York Code of Rules and Regulations) under the State Environmental Quality Review Act (SEQR) provides that certain actions identified in subdivision (c) of that section are not subject to environmental review under the Environmental Conservation Law;

“(6) street openings and right-of-way openings for the purpose of repair or maintenance of existing utility facilities,” and

“(23) mapping of existing roads, streets, highways, natural resources, land uses and ownership patterns.”

“(24) information collection including basic data collection and research, water quality and pollution studies, traffic counts, engineering studies, surveys, subsurface investigations and soils studies that do not commit the agency to undertake, fund or approve any Type I or Unlisted action.”

NOW, THEREFORE, BE IT RESOLVED BY THE VILLAGE BOARD OF THE VILLAGE OF BATH THAT the proposed water service line inventory project, funded by the BIL Lead Service Line Inventory grant program, is declared to be a Type II action for State Environmental Quality Review Act purposes, and no further action will be required.

WSL Replacement Project – Type II SEQR Resolution:

RESOLUTION
VILLAGE OF BATH BOARD OF TRUSTEES
BATH, NEW YORK

DATE APPROVED: Monday, May 20, 2024 INTRO. DATE: Monday May 20, 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 Coots	Aye	Nay	Abstain	Absent
	Trustee Muller	Aye	Nay	Abstain	Absent

RESOLUTION ADDRESSING STATE ENVIRONMENTAL QUALITY REVIEW (SEQR) STATUS FOR PROPOSED WATER SERVICE LINE REPLACEMENT, FUNDED BY BIL LEAD SERVICE LINE REPLACEMENT FUNDING PROGRAM

Resolution recognizing proposed replacement of water service lines, which meet established “lead service line” criteria, for the Village of Bath public water system to be Type II action for SEQR purposes.

WHEREAS, the Village of Bath (Village) administers the public water system; and

WHEREAS, the Village has considered the condition of the distribution system currently in use and has identified improvements necessary for proper operation of the public water supply system; and

WHEREAS, a project is proposed to replace various sections of its water distribution infrastructure containing lead service lines; and

WHEREAS, this project is more fully described in the August 2022 Lead Service Line Inventory and Replacement Project Engineering Report prepared by Larson Design Group, a professional engineering consulting firm; and

WHEREAS, these improvements will correct significant issues related to safe and efficient operation of the distribution system; and

WHEREAS, the Village Board recognizes the need to complete SEQR proceedings for this project; and

WHEREAS, 6 NYCRR Section 617.5 (Title 6 of the New York Code of Rules and Regulations) under the State Environmental Quality Review Act (SEQR) provides that certain actions identified in subdivision (c) of that section are not subject to environmental review under the Environmental Conservation Law;

“(6) street openings and right-of-way openings for the purpose of repair or maintenance of existing utility facilities,” and

NOW, THEREFORE, BE IT RESOLVED BY THE VILLAGE BOARD OF THE VILLAGE OF BATH THAT the proposed water service line replacement project, funded by the BIL Lead Service Line Replacement funding program, is declared to be a Type II action for State Environmental Quality Review Act purposes, and no further action will be required.

WSL Replacement Project – BOND Resolution:

RESOLUTION
VILLAGE OF BATH BOARD OF TRUSTEES
BATH, NEW YORK

DATE APPROVED: Monday, May 20, 2024 INTRO. DATE: Monday May 20, 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 Coots	Aye	Nay	Abstain	Absent
	Trustee Muller	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 VARIOUS IMPROVEMENTS TO THE VILLAGE’S WATER DISTRIBUTION SYSTEM; STATING THE MAXIMUM ESTIMATED COST THEREOF IS \$1,561,000; APPROPRIATING SAID AMOUNT

THEREFOR; AND AUTHORIZING THE ISSUANCE OF UP TO \$1,561,000 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, including the replacement of water service lines, which meet established “lead service line” criteria, as further set forth and described in a certain engineering report titled “Lead Service Line Inventory and Replacement Projects” as prepared by Larson Design Group and dated August 2022 (the “Project”), at the direction of the Board of Trustees and on file with the Village Clerk’s office, all at a total estimated maximum cost of \$1,561,000; 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 \$1,561,000 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 \$1,561,000, said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of (i) the issuance of up to \$1,561,000 in serial bonds of the Village authorized to be issued pursuant to this resolution, or bond anticipation notes issued in anticipation of such serial bonds to finance said appropriation, (ii) the application of grant funds expected to be received by the Village from the State or Federal governments and/or from New York State Environmental Facilities Corporation to pay or reimburse costs of the Project (including the possible repayment of bond anticipation notes issued to finance such costs), and (iii) to the extent necessary, the levy and collection of taxes on all of the taxable real property in the Village to pay the principal of its bonds and the interest thereon as the same shall be 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 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 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.

V. Bath WWTP Upgrades – Approval of Eligible Invoices, Payment Applications:

Motion made by Trustee Muller, seconded by Trustee Bardeen, to approve the Contractor Payment Applications for the WWTP Upgrades in the amount of \$244,625.97 to Performance Construction Company, \$49,894.43 to Matco Electric Corporation, and \$77,762.13 to GHD Consulting Services, Inc. All present were in favor and the motion was carried.

Executive Session:

Motion made by Trustee Causer, seconded by Trustee Coots to leave the open meeting and enter in executive session at 6:41 p.m. for the purpose of contracts. All present were in favor and the motion was carried.

Return to Open Meeting:

Motion made by Trustee Muller, seconded by Trustee Coots to leave executive session and return to the open meeting at 7:34 p.m. All present were in favor and the motion was carried.

Adjournment:

Motion made by Trustee Muller, seconded by Trustee Causer to adjourn the regular meeting at 7:34 p.m. All present were in favor and the motion was carried.

Respectfully submitted by:

Jacqueline Shroyer
Clerk/Treasurer