

**OFFICIAL MINUTES OF THE BOARD OF TRUSTEES
FOR THE VILLAGE OF BATH
REGULAR MEETING
AUGUST 16, 2022**

This meeting of the Board of Trustees of the Village of Bath was held on the 16th day of August 2022 located at 110 Liberty Street, Bath NY 14810. This meeting was called to order by Mayor Michael Sweet at 5:30 p.m.

Present:

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

Visitors/Residents in Attendance:

Dillon Lewis – Resident
Kelly Fitzpatrick – Business Owner – left at 5:47 p.m.

Audit of Bills:

Motion made by Trustee Coots, seconded by Trustee Bardeen to approve the payment of the Village bills in the amount of \$620,681.11. All present were in favor and the motion was carried.

Correspondence:

Taste of Liberty – Use of Pulteney Park:

Motion made by Trustee Coots, seconded by Trustee Causer to approve the Pulteney Park request for Taste of Liberty for September 21, 2022 at 6:00 p.m. All present were in favor and the motion was carried.

Department Head Reports:

Thomas Gutow, Street Superintendent:

Street Report was received.

Colin Taft, Chief of Police:

Police Report was received.

Bradley Hill, Code Enforcement:
Code Enforcement Report was received.

Matthew Glashauser, Fire Chief:
Fire Department Report was received.

Erin Bonacci, BEGWS Director:
BEGWS Minutes were received. Monthly report was received.

Jacqueline Shroyer, Clerk/Treasurer Report:
Clerk/Treasurer Report was received.

New Business:

Declare Investigator Car Surplus, send to Auction:

Motion made by Trustee Muller, seconded by Trustee Bardeen to declare the 2012 Chevy Impala, investigator car, surplus and to send it to auction. All present were in favor and the motion was carried.

Approve Renewal Agreement for Tasers:

Motion made by Trustee Coots, seconded by Trustee Bardeen to approve the renewal agreement for the lease of eight tasers for the police department, to total 11,023 over 5 years. All present were in favor and the motion was carried.

Approve Breath Test Operator School:

Motion made by Trustee Muller, seconded by Trustee Causer to approve the Breath Test Operator School at Suny Alfred from September 12 to September 14 for Officer Harrington and Officer Brzezinski. All present were in favor and the motion was carried.

Approve Retirement of Parking Meter Repair Specialist:

Motion made by Trustee Coots, seconded by Trustee Bardeen to approve the retirement of Gregory Kulikowski from Parking Meter Repair Specialist effective August 31, 2022. All present were in favor and the motion was carried.

Resolution Competitive Part Time Police Officer – Kulikowski:

RESOLUTION
VILLAGE OF BATH BOARD OF TRUSTEES
BATH, NEW YORK

DATE APPROVED: Monday, August 16, 2022 INTRO. DATE: Monday, August 16, 2022

INTRODUCED BY: Trustee Muller 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

TITLE: Appointment of Gregory Kulikowski as Competitive Part-time Police Officer for the Village of Bath.

WHEREAS, the Bath Village Police Chief 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 Gregory Kulikowski effective September 6, 2022, to the position of Competitive 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.
- Gregory Kulikowski 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 Gregory Kulikowski to the position of Competitive Part-time Police Officer, contingent on the aforementioned stipulations and said appointment shall be effective September 6, 2022.

Approve Drug Recognition Expert Training:

Motion made by Trustee Muller, seconded by Trustee Causer to approve Drug Recognition Expert Training for Sergeant Daloia in Livingston County from September 5 through September 16, 2022 and Florida from September 25 through October 2, 2022, all costs are to be paid for by the state to include room, board and travel. All present were in favor and the motion was carried.

Discussion on Fire Department Replacement Truck:

Trustee Causer will go to the town meetings to start discussions there, Matt will get estimate and Mayor will go to O'mara's office.

Accept Resignation of Police Secretary:

Motion made by Trustee Muller, seconded by Trustee Bardeen to accept the resignation of Irene Conrad as the Police Secretary effective August 25, 2022. All present were in favor and the motion was carried.

Approve new Hire Police Secretary:

Motion made by Trustee Bardeen, seconded by Trustee Muller to approve the hiring of Christine Haar as Police Secretary effective August 1, 2022 for temporary hire and effective August 26, 2022 for part time typist position. All present were in favor and the motion was carried.

**Water Infrastructure Improvement Act Grant Application:
Board Resolution:**

RESOLUTION
VILLAGE OF BATH BOARD OF TRUSTEES
BATH, NEW YORK

DATE APPROVED: Monday, August 16, 2022 INTRO. DATE: Monday, August 16, 2022

INTRODUCED BY: Trustee Muller 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

TITLE: 2022 Water Infrastructure Improvement Act Resolution Regarding Village of Bath Sanitary Sewer Collection System & Lift Station Improvements

WHEREAS, the Village of Bath (hereinafter the “Village”) maintains the Village of Bath’s sewer utility; and

WHEREAS, the Village is proposing to complete improvements to the sanitary sewer collection system and lift stations (collectively, the “Project”); and

WHEREAS, the Village has caused GHD Consulting Services to develop an Engineering Report for the project with a total project cost estimate of \$2,250,000; and

WHEREAS, the Village is seeking financial assistance through the 2022 NYS Environmental Facilities Corporation’s Water Infrastructure Improvement Act Program; and

WHEREAS, the grant application requires that the applicant adopt a resolution that authorizes: the undertaking of the project and the maximum total cost of the project; expenditures for the project, including identification of any non-municipal source of funds; obligation of funds necessary to meet any required local match, including any cash and/or in-kind services; and when applicable, the submission of an application for financial assistance. The resolution must also designate a representative of the applicant who is authorized to sign the funding agreement with EFC and any associated documents.

NOW, THEREFORE, BE IT:

RESOLVED that the Village authorizes the undertaking of the Sanitary Sewer Collection System and Lift Station Improvements and the maximum total cost of the project \$2,250,000; expenditures for the project, including identification of any non-municipal source of funds; obligation of funds necessary to meet any required local match, including any cash and/or in-kind services; and when applicable, the submission of an application for financial assistance; and

RESOLVED that the Village authorizes preparation and submission of an application for grant funding under the NYS Environmental Facilities Corporation's Water Infrastructure Improvement Act Program on behalf of the Village; and

RESOLVED that the Michael Sweet, Mayor, is authorized to execute a Grant Agreement with the NYS Environmental Facilities Corporation and any and all other contracts, documents and instruments necessary to bring about the Project and to fulfill the Village's obligations under the Water Infrastructure Improvement Act Grant Agreement; and

RESOLVED that the Michael Sweet, Mayor, is authorized to execute expenditures for the Sanitary Sewer & Lift Station Improvements under the NYS Environmental Facilities Corporation's Water Infrastructure Improvement Act Program on behalf of the Village.

This resolution shall take effect immediately.

SEQR Resolution:

RESOLUTION
VILLAGE OF BATH BOARD OF TRUSTEES
BATH, NEW YORK

DATE APPROVED: Monday, August 16, 2022 INTRO. DATE: Monday, August 16, 2022

INTRODUCED BY: Trustee Muller 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

TITLE: 2022 Water Infrastructure Improvement Act Resolution Classifying the Village of Bath Sanitary Sewer Collection System and Lift Station Improvements in Village of Bath, New York as a Type II Action, Establishing Lead Agency and Determining the Significance of Such Action, and Directing that the

Negative Declaration be Published in Accordance with SEQRA, and also Authorizing the Project and the Filing of an Application for the Financing Thereof, All as Further Described Hereinafter

WHEREAS, The Village of Bath (hereinafter the “Village”) has proposed improvements to its sanitary sewer collection system and lift stations, including repairs to sewer mains, replacement of sewer manhole covers, and repair, rehabilitation and/or replacement of lift stations in the Village of Bath, New York (the “Project”), and

WHEREAS, pursuant to the requirements of the State Environmental Quality Review Act (“SEQRA”), the Village must consider pursuant to criteria set for in SEQRA the environmental implications of the Project, and

WHEREAS, the Village of Bath Board of Trustees has determined that the Project was a “Type II Action” pursuant to SEQRA, and

WHEREAS, Type II actions are those actions, or classes of actions, which have been found categorically to not have significant adverse impacts on the environment, or actions that have been statutorily exempt from SEQRA review, and Type II actions do not require preparation of an Environmental Assessment Form, a negative or positive declaration, or an Environmental Impact Statement, and

WHEREAS, Type II actions do not require any further SEQRA review, and

WHEREAS, the Village of Bath Board of Trustees has considered under SEQRA the environmental impact of which will be separately considered, and finds that each of the actions meets the requirement for a Type II action, and

WHEREAS, pursuant to 6 NYCRR Section 617.5 (c), the project is determined to be Type II actions as it involves the following which requires no further review by the Village of Bath Board of Trustees has:

1. 617.5 (c) (I) maintenance or repair involving no substantial changes in an existing structure or facility;
2. 617.5 (c) (2) replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site, including upgrading buildings to meet building or fire codes, unless such action meets or exceeds any of the thresholds in section 617.4;
3. 617.5 (c) (11) extension of utility distribution facilities, including gas, electric, telephone, cable, water and sewer connections to render service in approved subdivisions or in connection with any action on this list, and

WHEREAS, the Village of Bath Board of Trustees duly notified the other involved agencies pursuant to 6 NYCRR 617.6(3)(i) and indicated its willingness to be designated Lead Agency status, and

WHEREAS, all of the involved agencies have consented to the Village of Bath Board of Trustees request to be designated Lead Agency status, and now therefore be it,

RESOLVED, by the Village of Bath Board of Trustees declares to be lead agency for the Project for the proposed action, and therefore, responsible for determining whether an environmental impact statement is required in connection therewith and otherwise complying with the procedural and substantive requirements of SEQRA, and be it further,

RESOLVED, by the Village of Bath Board of Trustees as follows:

1. The Project is hereby determined to constitute a SEQRA Type II Action as defined under 6 NYCRR Section 617.5 (c) and does not require an environmental impact statement or any other determination or procedure.
2. The Project is hereby authorized upon the receipt of a commitment for the financing thereof from the NYS Environmental Facilities Corporation.
3. The Village of Bath Board of Trustees hereby authorizes the preparation and submittal of such grant applications to Environmental Facilities Corporation as may be deemed necessary to obtain assistance in funding the Project.

Adjourn Regular Meeting/Executive Session:

Motion made by Trustee Coots, seconded by Trustee Bardeen to adjourn the regular meeting of the Board of Trustees of the Village of Bath at 6:16 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, possible sale of real property and contracts. All present were in favor and the motion was carried.

Director of Municipal Utilities, Erin Bonacci joined executive session at 6:35. Left at 6:55 p.m.

Return to Regular Session:

Motion made by Trustee Muller, seconded by Trustee Bardeen to return to regular session at 7:37 p.m. All present were in favor and the motion was carried.

Approve Sale of Parcel on Wilson Ave:

Motion made by Trustee Muller, seconded by Trustee Coots to approve the sale of the parcel on Wilson Avenue owned by the Village of Bath formerly used for an electric substation to REA for \$7,500 plus REA pays all closing costs. All present were in favor and the motion was carried.

Deputy Village Clerk/Treasurer Appointment:

Motion made by Trustee Bardeen, seconded by Trustee Causer to approve the appointment of Samantha Voss as the new Deputy Village Clerk/Treasurer effective August 22, 2022, and the appointment of the new Deputy Registrar for the remainder of the one year term (August 22, 2022 – April 3, 2023). These appointments include a 3 month transitional period from Bath Electric, Gas & Water Systems, to include time at the Village and at BEGWS. BEGWS will cover Samantha's Insurance for 3 months, while the Village pays her salary of \$44,000 per year. Samantha will continue to be appointed for the clerk to take minutes at the

commission meetings. All negotiations regarding employment will be listed in her personnel policy. All present were in favor and the motion was carried.

Adjournment:

Motion made by Trustee Bardeen, seconded by Trustee Causer to adjourn the regular meeting at 7:41 p.m. All present were in favor and the motion was carried.

Respectfully submitted by:

Jacqueline Shroyer
Clerk/Treasurer