

**OFFICIAL MINUTES OF THE BOARD OF TRUSTEES  
FOR THE VILLAGE OF BATH  
REGULAR MEETING  
NOVEMBER 21, 2022**

This meeting of the Board of Trustees of the Village of Bath was held on the 21st day of November 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
Chief of Police:	Colin Taft
Attorney:	Aaron Mullen
Deputy St. Superintendent:	Jason Causer
Fire Chief:	Matt Glashauser

**Absent:**

Director of Utilities:	Erin Bonacci
Code Enforcement:	Bradley Hill

**Visitors/Residents in Attendance:**

Dillon Lewis – Resident  
Kelly Fitzpatrick – Business Owner

**Local Law #3 – Procedures for Meetings of Public Bodies:**

This law will allow public boards of the Village of Bath to use videoconferencing if it is needed in the future.

Motion made by Trustee Coots, seconded by Trustee Bardeen to close the public hearing at 5:30 p.m. All present were in favor and the motion was carried.

**Audit of Bills:**

Motion made by Trustee Muller, seconded by Trustee Causer to approve the payment of the Village bills in the amount of \$535,771.54. All present were in favor and the motion was carried.

**Department Head Reports:**

**Thomas Gutow, Street Superintendent:**  
Street Report was received.

**Colin Taft, Chief of Police:**

Police Report was received.

**Bradley Hill, Code Enforcement:**

Code Enforcement Report was received.

**Matthew Glashauser, Fire Chief:**

Fire Department Report was received.

**Erin Bonacci, BEGWS Director:**

BEGWS Minutes were received. Monthly report was received.

**Jacqueline Shroyer, Clerk/Treasurer Report:**

Clerk/Treasurer Report was received.

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

**Budget Amendment:**

Increase A599 Appropriated Fund Balance by \$34,527.33  
Increase A7140.4 Downtown Park - Contractual by \$34,527.33  
To Increase Budget for Dog Park

Increase A1620.43 Buildings – Contracts by \$200.00  
Decrease A1990.4 Contingent Account by \$200.00  
To cover costs of quarterly door fob expense.

Increase A3120.42 Police Dept – Gas & Oil by \$20,000.00  
Decrease A1990.4 Contingent Account by \$20,000.00  
To cover the increase in fuel prices for police vehicles.

Increase A2626 Forfeiture of Crime Proceeds by \$1,000.00  
Increase A3310.4 Traffic Control – Contractual by \$1,000.00  
Asset Forfeiture Expense and Revenues.

Increase A2260 Public Safety – Special Projects by \$1,000.00  
Increase A3989.4 Misc. Public Safety Contractual by \$1,000.00  
Special Project Expense and Revenues.

Increase A1289 Reimbursement from Town by \$6,500.00  
Increase A5110.49 Street – Blacktop by \$6,500.00  
To Record Costs of Reimbursement on Traffic Light.

Increase A1289 Reimbursement from Town by \$1,251.62  
Increase A5110.4 Street – Contractual by \$1,251.62

To Record Costs of Reimbursement on Traffic Light.

**Department Head Reports:**

**Aaron Mullen:**

**Employee Handbook:**

Motion made by Trustee Causer, seconded by Trustee Bardeen to approve the Employee Handbook effective immediately. All present were in favor and the motion was carried.

**New Business:**

**Approve Local Law – Procedures for Meetings of Public Bodies:**

Motion made by Trustee Coots, seconded by Trustee Bardeen to approve local law #3 to adopt written procedures for meetings of public bodies for the Village of Bath. All present were in favor and the motion was carried.

**Resolution for County to Collect Unpaid Taxes:**

Motion made by Trustee Muller, seconded by Trustee Causer resolving that the Village Board of Trustees authorizes the County of Steuben to collect unpaid 2022/2023 taxes in the amount of \$172,269.80. All present were in favor and the motion was carried.

**Asset Disposition Contract:**

Motion made by Trustee Coots, seconded by Trustee Bardeen to approve the PropertyRoom.com Asset Disposition Services Agreement. All present were in favor and the motion was carried.

**Approve Taft for Domestic Violence Instructor Course:**

Motion made by Trustee Muller, seconded by Trustee Bardeen to approve Chief Taft to attend the Domestic Violence Instructor Certification Course November 3 and 4 in Horseheads. All present were in favor and the motion was carried.

**Approve Implicit Bias Training:**

Motion made by Trustee Causer, seconded by Trustee Bardeen to approve implicit bias training for Chief Taft, Sergeants Recktenwald, Jackson, Daloia, Ruggles and Police Officer Johnson on December 2, 2022 at the Finger Lakes Police Academy. All present were in favor and the motion was carried.

**Approve Resignation of Part Time Officer:**

Motion made by Trustee Coots, seconded by Trustee Causer to accept the resignation of Part Time Police Officer, Seth Zawko, effective November 21, 2022. All present were in favor and the motion was carried.

**Approve Part Time Police Officer Resolution – Hughes:**

RESOLUTION  
VILLAGE OF BATH BOARD OF TRUSTEES  
BATH, NEW YORK

DATE APPROVED: Monday, November 21, 2022 INTRO. DATE: Monday, November 21, 2022

INTRODUCED BY: Trustee Bardeen 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	Absent
	Trustee Coots	<b>Aye</b>	Nay	Abstain	Absent
	Trustee Muller	<b>Aye</b>	Nay	Abstain	Absent

TITLE: Appointment of Noah Hughes as Part-time Police Officer for the Village of Bath.

WHEREAS, the Bath Village 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 Noah Hughes effective October 29, 2022, 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.
- Noah Hughes 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 Noah Hughes to the position of Part-time Police Officer, contingent on the aforementioned stipulations and said appointment shall be effective October 29, 2022.

**Steuben County Mental Health Contract:**

Motion made by Trustee Coots, seconded by Trustee Bardeen to approve the Steuben County Mental Health Agreement for 2022-2023. All present were in favor and the motion was carried.

**Declare Surplus Property and Approve Method of Disposal:**

Motion made by Trustee Coots, seconded by Trustee Bardeen to declare the 45 guns the Police Department has from lost and found and confiscated property as surplus and approve them to be sold by following the procurement policy. All present were in favor and the motion was carried.

**Resignation of Court Clerk – Gerych:**

Motion made by Trustee Causer, seconded by Trustee Muller to accept the resignation of part time court clerk, Candace Gerych, effective immediately. All present were in favor and the motion was carried.

**Temporary Full Time Police Officer – Morris:**

RESOLUTION  
VILLAGE OF BATH BOARD OF TRUSTEES  
BATH, NEW YORK

DATE APPROVED: Monday, November 21, 2022 INTRO. DATE: Monday, November 21, 2022

INTRODUCED BY: Trustee Coots SECONDED BY: Trustee Bardeen

VOTE:	Mayor Sweet	<b>Aye</b>	Nay	Abstain
	Trustee Causer	<b>Aye</b>	Nay	Abstain
	Trustee Bardeen	<b>Aye</b>	Nay	Abstain
	Trustee Muller	<b>Aye</b>	Nay	Abstain
	Trustee Coots	<b>Aye</b>	Nay	Abstain

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

WHEREAS, the Bath Village Chief of Police has informed the Bath Village Board of Trustees that effective, November 2, 2022, one (1) full-time uniformed police officer has been promoted to Provisional Police Sergeant and it opens up a full time spot to be filled.

WHEREAS, Part-time Police Officer Eric Morris will be appointed to the position of “Temporary Full-Time Police Officer”, effective, November 1, 2022, to cover the shift of a full-time police officer that is moving to Police Sergeant Position and Officer Morris will remain in that position for 60 days.

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

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

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

**Adjourn Regular Meeting/Executive Session:**

Motion made by Trustee Muller, seconded by Trustee Bardeen to adjourn the regular meeting of the Board of Trustees of the Village of Bath at 6:06 p.m. to go into executive session

for the medical, financial, credit, or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal, or removal of a particular person or corporation, policies and potential litigation. All present were in favor and the motion was carried.

Thomas Gutow, Street Superintendent, and Jason Causer, Deputy Street Superintendent asked to stay. Left at 6:34 p.m.

Colin Taft, Chief of Police, asked to enter at 6:34 p.m. Left at 6:54 p.m.

Matt Glashauser, Fire Chief, asked to enter at 6:54 p.m. Left at 7:00 p.m.

**Return to Regular Session:**

Motion made by Trustee Muller, seconded by Trustee Bardeen to return to regular session at 7:09 p.m. All present were in favor and the motion was carried.

**SRO Memorandum of Agreement:**

Motion made by Trustee Bardeen, seconded by Trustee Causer to approve the Memorandum of Agreement between the Village of Bath and the Police Beneficial Association for the School Resource Officer. All present were in favor and the motion was carried.

**Cancer Coverage for Fire Dept:**

Motion made by Trustee Muller, seconded by Trustee Bardeen to approve the cancer insurance for the fire department pending the review of Trustee Causer on which insurance we will purchase. All present were in favor and the motion was carried.

**Litigation:**

RESOLUTION  
VILLAGE OF BATH BOARD OF TRUSTEES  
BATH, NEW YORK

DATE APPROVED: Monday, November 21, 2022 INTRO. DATE: Monday, November 21, 2022

INTRODUCED BY: Trustee Muller SECONDED BY: Trustee Causer

VOTE:	Mayor Sweet	<b>Aye</b>	Nay	Abstain
	Trustee Causer	<b>Aye</b>	Nay	Abstain
	Trustee Bardeen	<b>Aye</b>	Nay	Abstain
	Trustee Muller	<b>Aye</b>	Nay	Abstain
	Trustee Coots	<b>Aye</b>	Nay	Abstain

**WHEREAS**, the State of New York, through its legislature, has adopted the Marijuana Regulation and Taxation Act [the Act] and the Governor having signed the Act into law on or about March 31, 2021;

**WHEREAS**, the Act authorizes the selling of marijuana as defined in the Act as Cannabis;

**WHEREAS**, the Act requires the issuance of a license pursuant to Article 4 of the Act to engage in Adult-Use Cannabis sales, distribution and such other matters relating to Adult-Use Cannabis;

**WHEREAS**, officials from the State issued on November 21, 2022 their first conditional licenses in the State under the provisions of Article of the Act, which includes the Village of Bath;

**WHEREAS**, it is reported through the Zoning Officer that certain properties located within the jurisdiction of the Village of Bath have engaged in the unlicensed sales of cannabis as controlled by Article 4 of the Act without a license to engage in such activity upon said premises, making such use under state and/or local zoning law unlawful and illegal;

**WHEREAS**, the Village Law of the State of New York §7-714 authorizes the Village through the proper local authorities of the Village to institute any appropriate action or proceeding to prevent any illegal act, business or use in and about such premises; it is hereby,

**RESOLVED**, that in accordance with §7-714 of the Village Law, the Mayor of the Village of Bath is authorized to institute any action or proceeding in accordance with Village Law §7-714 for the purposes so stated in Village Law §7-714 and that any such action or proceeding be instituted through the Village Attorney together with the aid and assistance of outside counsel as may be deemed prudent in the discretion of the Village Attorney, and be it further,

**RESOLVED**, that this litigation authorization specifically includes the location at 29 Liberty Street, together with other addresses where such activities may occur.

**Adjournment:**

Motion made by Trustee Muller, seconded by Trustee Causer to adjourn the regular meeting at 7:10 p.m. All present were in favor and the motion was carried.

Respectfully submitted by:

Jacqueline Shroyer  
Clerk/Treasurer