

**OFFICIAL MINUTES OF THE BOARD OF TRUSTEES  
FOR THE VILLAGE OF BATH  
PUBLIC HEARING/REGULAR MEETING  
JANUARY 20, 2015**

This meeting of the Board of Trustees of the Village of Bath was held on the 20th day of January 2015 at the Village of Bath, Village Hall, located at 110 Liberty St., Bath, NY 14810. This meeting was called to order by Mayor William von Hagn at 5:30 p.m.

**Present:**

Mayor:	William von Hagn	BEGWS Director:	Guy Hallgren
Deputy Mayor/Trustee:	Jeanne Glass	Street Superintendent:	Jeff Muller
Trustee:	Mike McNally	Clerk/Treasurer:	Jacqueline Shroyer
Trustee:	Mark Bardeen	Attorney:	Patrick McAllister
Trustee:	Mike Sweet	Fire Chief:	Joe Washburn
Police Chief:	Chad Mullen	Code Enforcement:	Ralph Senese

**Public Hearing:**

**Local Law #1 – Tax Cap Override:**

Hearing was opened at 5:30 p.m.

No discussion was made.

Closed the hearing at 5:32 p.m.

**Regular Meeting:**

**Appointments:**

**Jim Burns – Acting Justice:**

Motion made by Trustee Sweet, seconded by Trustee Bardeen to appoint Jim Burns for acting justice. All present were in favor and the motion was carried.

**Terry Bilancio – Historical Preservation three year term:**

Motion made by Trustee Bardeen, seconded by Trustee Sweet to appoint Terry Bilancio to the Historical Preservation Committee for a three year term. All present were in favor and the motion was carried.

**Willis Barney – Resigned as Chairman of Planning Board:**

Motion made by Trustee Sweet, seconded by Trustee Glass to accept Willis Barney's resignation with regret as Chairman of the planning board. All present were in favor and the motion was carried.

**Marty Smith – Resigned as Planning Board Member:**

Motion made by Trustee Bardeen, seconded by Trustee Glass to accept Marty Smith's resignation as planning board member. All present were in favor and the motion was carried.

**Jim Deats – Chairman of Planning Board three year term:**

Motion made by Trustee Sweet, seconded by Trustee Glass to appoint Jim Deats as Chairman of the planning board for a three year term. All present were in favor and the motion was carried.

**Joe Dunning – Planning Board three year term:**

Motion made by Trustee Sweet, seconded by Trustee Glass to appoint Joe Dunning as planning board member for a three year term. All present were in favor and the motion was carried.

**Mary Ellen Becken – Planning Board three year term:**

Motion made by Trustee Bardeen, seconded by Trustee Glass to appoint Mary Ellen Becken as planning board member for a three year term. All present were in favor and the motion was carried.

**Alicia Patterson – John Southard:**

Motion made by Trustee Bardeen, seconded by Trustee Sweet to appoint Alicia Patterson to the John Southard Youth Committee. All present were in favor and the motion was carried.

**Teresa Koehler – John Southard:**

Motion made by Trustee Bardeen, seconded by Trustee Sweet to appoint Teresa Koehler to the John Southard Youth Committee. All present were in favor and the motion was carried.

**Correspondence:**

**Pro Action – Pulteney Park Request:**

Motion made by Trustee Bardeen, seconded by Trustee Glass to approve Pro Action's request to use Pulteney Park on September 16, 2015 from 8:30 a.m. to 4:00 p.m. All present were in favor and the motion was carried.

**Approve Chamber of Commerce Events:**

Motion made by Trustee Bardeen, seconded by Trustee Sweet to approve the Chamber of Commerce to have their annual Expo on May 16, 2015. The East and West side of Pulteney Park will be closed. All present were in favor and the motion was carried.

Motion made by Trustee Sweet, seconded by Trustee Bardeen to approve the Chamber of Commerce to use Pulteney Park on Wednesday's from July 1, 2015 until August 5, 2015 for Music in the Park. All present were in favor and the motion was carried.

**Audit of Bills:**

Motion made by Trustee Glass, seconded by Trustee Sweet to approve the payment of the Village bills in the amount of \$107,831.11. All present were in favor and the motion was carried.

**Department Head Reports:**

**Chief of Police, Chad Mullen:**

The mayor recognized Police Officer Fisher with a memorandum commending him for his actions in December 2014 where he came to the aide of another police officer while he was

off duty. If it were not for his selfless action, Police Officer Barry could have been injured while trying to detain a difficult person.

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

Motion made by Trustee McNally, seconded by Trustee Sweet to transfer the following budget transfers:

To Amend the budget for grant revenue by the following:

Increase Revenue A3389 by \$2504.57

Increase Expense A3120.1 by \$2504.57

To Amend the budget for CHIPS revenue by the following:

Increase Revenue A3501 by \$55,729.00

Increase Expense A5122.4 by \$55,729.00

To Transfer \$12,748.55 from A1990.4 Contingent Account to A7141.4 Mossy Bank Park – Contractual for last payment of Mossy Bank Grant

To Transfer \$30.12 from A1325.4 Clerk – Contractual to A1010.4 Legislative Board – Contractual for Mileage Reimbursement for Mayor.

To Transfer \$245.00 from A1325.4 Clerk – Contractual to A6410.4 Publicity – Contractual for I-86 Ad Jeanne ordered for Village not budgeted.

To Transfer \$38.30 from A3120.4 Police Department – Contractual to A3120.2 Police Department – Equipment for overage for Car Video.

To Transfer \$5,000 from A7141.1 Mossy Bank Park – Personal Services to A5122.4 Consolidate Highway Improvement, To transfer \$5,542.45 from A5110.2 Street – Equipment, to Transfer \$5,252.00 from A5110.49 Street – Blacktop to cover chips.

All present were in favor and the motion was carried.

**Committee Reports:**

**Mayor von Hagn:**

Motion made by Trustee McNally, seconded by Trustee Bardeen to go back out to bid on 22 Pine Street with no minimum bid and offer it to the highest bidder with the Village having the right to reject all bids. When bid is awarded, 20% of the purchase price will have to be put as a down payment. All present were in favor and the motion was carried.

Motion made by Trustee McNally, seconded by Trustee Glass to accept the property on 7 Exchange Street with a stipulation that the current owner, Warren Tetor, will maintain and repair the existing water line on the property since the well has to be accessible to the building owners on Steuben Street. This will remain in the deed when sold by the village. All present were in favor and the motion was carried.

**New Business:**

**Fairground Project Feasibility Study Funds:**

Motion made by Trustee Glass, seconded by Trustee Bardeen to support up to \$7,500.00 for a feasibility study for the fairgrounds project. Trustee McNally was opposed and the motion was carried.

**RFP’s for Grant Services:**

Motion made by Trustee Sweet, seconded by Trustee Bardeen to authorize the Village to go out for Request for Proposals for Grant Services. All present were in favor and the motion was carried.

**Drug Tip Line on Village Police Vehicles:**

Motion made by Trustee Bardeen, seconded by Trustee Glass to approve the village vehicles to have a bumper sticker on them for Steuben County’s Drug Tip Line. They will be kept in good order or they will be removed. All present were in favor and the motion was carried.

**Election Inspector Resolution:**

Whereas, the Board of Trustees of the Village of Bath pursuant to section 15-116, sub.1, of the election law must appoint inspectors of the General Village Election.

Now therefore, be it resolved, that the Board of Trustees hereby appoints the following as inspectors for the General Village Election on March 18, 2015:

**Democratic Election Inspectors:**

- Cynthia Dimmick, 3 Fairview Drive, Bath, NY 14810
- Barbara Perry, 24 Vermont Street, Bath, NY 14810
- Beverly Grose, 7861 N. Main Street, Bath, NY 14810

**Republican Election Inspectors:**

- Florence Mulcahy, 6 Ivy Street, Bath, NY 14810
- Helen Robinson, 8143 Pleasant Valley Road, Bath, NY 14810
- Doris Doucette, 7375 County Route 16, Apt. # 102, Bath, NY 14810

Resolution by: Trustee  
Seconded by: Trustee

Voting	Aye	Nay
Trustee Glass	X	
Trustee McNally	X	
Trustee Bardeen	X	
Trustee Sweet	X	

**Approve Nicholas Cole’s Resignation:**

Motion made by Trustee Sweet, seconded by Trustee McNally to approve Nicholas Cole’s resignation as Meter Repair Specialist. All present were in favor and the motion was carried.

**Approve Robert Conrad's Resignation:**

Motion made by Trustee Bardeen, seconded by Trustee Glass to approve Robert Conrad's resignation as Part-Time Dispatcher. All present were in favor and the motion was carried.

**Approve John Emo's Resignation:**

Motion made by Trustee Glass, seconded by Trustee Bardeen to approve John Emo's resignation as Part-Time Police Officer. All present were in favor and the motion was carried.

**Approve Timothy Dunning as Part-Time Meter Repair Specialist:**

Motion made by Trustee Sweet, seconded by Trustee Bardeen to approve the Chief of Police, Chad Mullen, to hire Timothy Dunning as a Part-Time Meter Repair Specialist at \$10.30/hour and a probationary period not to exceed 26 weeks. All present were in favor and the motion was carried.

**Donation of Stock:**

Motion made by Trustee Sweet, seconded by Trustee Glass to liquidate the stock donation made to the village for the shade tree committee when the committee wants to liquidate it. All present were in favor and the motion was carried.

**Set Date for first Budget Meeting:**

The first Budget Meeting is scheduled for Monday, February 23, 2015 at 4:00 p.m.

**BEGWS SEQR Resolution:**

**SEQR Type II Determination Resolution**

**Bond Resolution for WQIP Grant:**

At a regular meeting of the Board of Trustees of the Village of Bath, Steuben County, New York, held at the Village of Bath, 110 Liberty Street, Bath, New York, on January 20, 2015

The following resolution was offered by Trustee Sweet, who moved its adoption, seconded by Trustee Bardeen, to-wit:

**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;

**NOW, THEREFORE, BE IT:**

**RESOLVED** that Bath Electric Gas and Water Systems hereby determines that the proposed Wastewater Treatment Plant Chemical Addition for Nutrient (Phosphorus) Removal is a Type II action in accordance with 6 NYCRR Section 617.5(c). Based on the proposed scope of work for this project, which is the addition of metal salts to an existing process for regulatory compliance purposes, this action is ministerial in nature within an existing facility that will not have an adverse impact on the environment based upon the criteria contained in subdivision 617.5(c). Therefore, based upon the criteria set forth in subdivision 617.5, the action is considered to be a Type II action and is not subject to review under 6 NYCRR Part 617.

The following vote was taken and recorded in the public or open session of said meeting, which resulted as follows:

	AYES:	NAYS:
Mayor Von Hagn	X	
Trustee Glass	X	
Trustee Bardeen	X	
Mayor von Hagn	X	
Trustee McNally	X	

**BEGWS Water Resolution:**

**Municipal Resolution  
Water Quality Improvement Projects and  
Nonagricultural Nonpoint Source Projects  
Municipal Resolution**

Resolution authorizing the items listed below pursuant to the Bond Acts enacted in 1965, 1972 and 1996 and the Environmental Protection Fund, as well as federal grant awards available for such projects.

The following resolution was offered by Trustee Bardeen, who moved its adoption, seconded by Trustee Glass, to-wit:

WHEREAS, Bath Electric, Gas & Water Systems, herein called the "BEGWS", after thorough consideration of the various aspects of the problem and study of available data, has hereby determined that certain work, as described in its application and attachments, herein called the "Project", is desirable, is in the public interest, and is required in order to implement the Project; and

WHEREAS, the Environmental Conservation Law ("ECL") authorizes State assistance to municipalities for water quality improvement projects by means of a contract and the BEGWS deems it to be in the public interest and benefit under this law to enter into a contract therewith;

NOW, THEREFORE, BE IT RESOLVED BY BEGWS

1. That Guy Hallgren, BEGWS director, or such person's successor in office, is the representative authorized to act in behalf of the BEGWS' governing body in all matters related to State assistance under ECL Articles 17, 51 and 56 and/or any applicable federal grant provisions. The representative is also authorized to make application, execute the State Assistance Contract, submit Project documentation, and otherwise act for BEGWS' governing body in all matters related to the Project and to State assistance;
2. That BEGWS agrees that it will fund its portion of the cost of the Project and that funds will be available to initiate the Project's field work within twelve (12) months of written approval of its application by the Department of Environmental Conservation;
3. That one (1) certified copy of this Resolution be prepared and sent to the Albany office of the New York State Department of Environmental Conservation

4. That this Resolution take effect immediately.

The following vote was taken and recorded in the public or open session of said meeting, which resulted as follows:

	AYES:	NAYS:
Mayor Von Hagn	X	
Trustee Glass	X	
Trustee Bardeen	X	
Mayor von Hagn	X	
Trustee McNally	X	

**Local Law #1 – Tax Cap Override:**

Motion made by Trustee Glass, seconded by Trustee Bardeen to approve the local law to override the tax levy limit established in general municipal law 3-c. All present were in favor and the motion was carried.

**Authorize to go out to bid on parking lot:**

Motion made by Trustee Sweet, seconded by Trustee Glass to go out to bid on the parking lot project. Trustee McNally opposed and the motion was carried.

**Approval for Street Superintendent to attend advocacy day March 3 and 4:**

Motion made by Trustee McNally, seconded by Trustee Bardeen to approve Street Superintendent, Jeff Muller, to attend advocacy day in Albany on March 3 and March 4, 2015. All present were in favor and the motion was carried.

**Town of Bath Agreement – Lease:**

Motion made by Trustee Sweet, seconded by Trustee McNally to approve the Lease agreement with the Town of Bath for 2015. All present were in favor and the motion was carried.

**Town of Bath Agreement – Fire:**

Motion made by Trustee McNally, seconded by Trustee Bardeen to approve the fire agreement with the Town of Bath for 2015. All present were in favor and the motion was carried.

**Town of Bath Agreement – Court Clerk:**

Motion made by Trustee McNally, seconded by Trustee Sweet to approve the court clerk agreement with the Town of Bath for 2015. All present were in favor and the motion was carried.

**Acknowledge Renewal for Liquor License:**

Motion made by Trustee Glass, seconded by Trustee Sweet acknowledging the Central Hotel submitted a renewal for a liquor license with New York State. All present were in favor and the motion was carried.

**Adjourn Regular Meeting/Executive Session:**

Motion made by Trustee Bardeen, seconded by Trustee Glass to adjourn the regular meeting of the Board of Trustees of the Village of Bath at 8:00 p.m. to go into executive session for personnel reasons. All present were in favor and the motion was carried.

**Return to Regular Session:**

Motion made by Trustee Bardeen, seconded by Trustee McNally to return to regular session at 8:23 p.m. All present were in favor and the motion was carried.

**Part-Time Employees:**

Motion made by Trustee Bardeen, seconded by Trustee Sweet to allow Part-Time Employees to make up time lost for holiday's during the same work week at their option not to exceed their maximum time per week. All present were in favor and the motion was carried.

**Adjournment:**

Motion made by Trustee Sweet, seconded by Trustee Bardeen to adjourn the regular meeting at 8:24 p.m. All present were in favor and the motion was carried.

Respectfully submitted by:

Jacqueline Shroyer  
Clerk/Treasurer