

**OFFICIAL MINUTES OF THE BOARD OF TRUSTEES
FOR THE VILLAGE OF BATH
PUBLIC HEARING/REGULAR MEETING
FEBRUARY 18, 2014**

This meeting of the Board of Trustees of the Village of Bath was held on the 18th day of February 2014 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 Chairman:	Harold Rodbourn
Deputy Mayor/Trustee:	Jeanne Glass	Police Chief:	David Rouse
Trustee:	Mike Sweet	Fire Chief:	Dave Dowdle
Trustee:	Mike McNally	Clerk/Treasurer:	Jacqueline Shroyer
Trustee:	Mark Bardeen	Attorney:	Patrick McAllister

Absent:

Street Superintendent:	Jeff Muller	BEGWS Director:	Guy Hallgren
Code Enforcement:	Ralph Senese		

Moment of Silence:

The board took a moment of silence in remembrance of Ted Markham, who was on the Mossy Bank Committee.

Public Hearing:

To Override the tax levy limit established in General Municipal Law 3-C:

Public Hearing was opened at 5:32 p.m.
No Discussion was made.
Public Hearing was closed at 5:33 p.m.

Local Law on Garbage Truck Fees:

Public Hearing was opened at 5:33 p.m.
No Discussion was made.
Public Hearing was closed at 5:33 p.m.

Local Law on Taxi Cab Fees:

Public Hearing was opened at 5:34 p.m.
No Discussion was made.
Public Hearing was closed at 5:34 p.m.

Local Law on Mossy Bank:

Public Hearing was opened at 5:34 p.m.
No Discussion was made.
Public Hearing was closed at 5:35 p.m.

Correspondence:**Saturday Farmer's Market:**

Motion made by Trustee Sweet, seconded by Trustee Glass to approve the request for the Saturday Bath Farmer's Market to use Pulteney Park for the year 2014. It is scheduled to begin May 10 and conclude November 1, hours of activity being 9 a.m. to 2 p.m. Trustee McNally would like to note that there will be projects being done in the park this summer to help improve the park. All present were in favor and the motion was carried.

Regular Meeting:**Audit of Bills:**

Motion made by Trustee McNally, seconded by Trustee Bardeen to approve the payment of the Village bills in the amount of \$195,575.35. All present were in favor and the motion was carried.

Department Head Reports:**Dave Rouse, Police Chief:**

Chief of Police, David Rouse, commented on his report that foot patrols have been down due to weather and the department being short staffed. He advised his department on November 18 that he was temporarily rescinding the mandate of foot patrols but encouraged that they be done when possible. The Patrol Force is back up to full-strength and will now adhere to the special order put in place months back.

Chief, David Rouse, let the board know that Sgt. Sanford has been recognized for dedication with the DWI Programs. Congratulations Sgt. Sanford.

There was a car seat safety check done last week with other agencies.

There will be changes in the route this year to the Wine Glass Marathon. The marathon starts at Route 113 by the infirmary. In the past, they have had problems with non-participants trying to go through the route. There has been discussion to move parking for the event to the school and bus them to the starting point. Another suggestion was to utilize the county parking and set up in Pulteney Park and bus them from there to the starting point. They would like to reserve the park for October 4 & 5. Last year, they went down Crugar Street, now they will take go all the way to Hubbell Street.

Newest Hire, Nicolas Cole, part-time Meter Repair Specialist has boosted up enforcement. This is not a new position. It is a position already on the books that has not been filled yet.

Patrick McAllister:

Wilkes Ave., which is 22 ft. in width, has been used by the public as a street and has been paved and maintained by the village. According to section 6-26: "All lands within the village which have been used by the public as a street for ten years or more continuously, shall be a street with the same force and effect as if it had been duly laid out and recorded as such."

Motion made by Trustee Bardeen, seconded by Trustee Sweet to recognize Wilkes Ave as an entrance to the municipal parking lot being 22 ft. in width. All present were in favor and the motion was carried.

Harold Rodbourn, Chairman of BEGWS:

New Substation is anticipated to be back in service the first part of March.

Price of electric bills will be going up for the next few months due to the adjustment rates and the rates the utility company has to pay to their supplier. These rates will go back down with warmer weather.

Thank you to Guy Hallgren for all the information updates on the power outage while it was taken place. He did a great job updating the employees. Thank you to the employees as well for the updates.

Jackie Shroyer, Clerk/Treasurer:

Motion made by Trustee Sweet, seconded by Trustee Bardeen to transfer \$35.00 to A7510.4 Historian – Contractual from A7550.4 Celebrations – Contractual to cover historian membership expense. All present were in favor and the motion was carried.

Motion made by Trustee Bardeen, seconded by Trustee Sweet to Transfer \$1,500.00 to A3120.418 Police Dept – Education from A3320.1 Park Activities – Personnel to pay for ammo that has to be ordered. All present were in favor and the motion was carried.

Committee Reports:

Jeanne Glass:

Trustee Glass showed everyone some pictures of what the permanent sign on the corner of Liberty and Washington Street will look like. She informed us the student and teacher who designed the sign donated their time. The Civic Committee will research grants and funding possibilities.

The Chamber of Commerce had their annual dinner at the Legion and recognized Taggart Insurance as business of the year, along with other recognitions. Their next event will be the bath tub races on May 17, 2014, along with music in the park on Wednesdays in the summer.

Mossy Bank will hold their open house and ribbon cutting for the new facilities on June 14, 2014.

New Business:

To Override the tax levy limit established in General Municipal Law 3-C:

Motion made by Trustee Sweet, 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.

Local Law #3 – Garbage Truck Fees:

Motion made by Trustee McNally, seconded by Trustee Glass to amend Chapter 63 Section 63-2(A) of the Bath Village Code pertaining to license fees on garbage trucks. All present were in favor and the motion was carried.

Local Law #2 – Taxi Cab Fees:

Motion made by Trustee Glass, seconded by Trustee Bardeen to amend Chapter 105 Section 105-8(B) of the Bath Village Code pertaining to license fees on Taxi Cabs. All present were in favor and the motion was carried.

Local Law #4 – Mossy Bank Park:

Motion made by Trustee Glass, seconded by Trustee Sweet to amend Chapter 78, Article 1 of the Bath Village Code pertaining to Mossy Bank Park. All present were in favor and the motion was carried.

Bonadio Audit Letter for fiscal year ending 2014:

Motion made by Trustee Bardeen, seconded by Trustee Sweet to authorize the mayor to sign the letter from Bonadio & Co., LLP approving them to conduct the yearly audit. All present were in favor and the motion was carried.

Bond Counsel Services:

Motion made by Trustee McNally, seconded by Trustee Sweet to authorize the mayor to sign the proposal letter to provide bond counsel services for the Wastewater Treatment Plant. All present were in favor and the motion was carried.

Resolution to Eliminate Dog Control Position:

Motion made by Trustee Sweet, seconded by Trustee Glass resolving that as of January 1, 2014, The Village of Bath will be eliminating the Animal Control Position and that The Town of Bath will cover services for this position in the Village. All present were in favor and the motion was carried.

Donation for Police Decals:

A local Vendor, Goodrich Auto, donated decals to make our police vehicles all look the same. Chief of Police, David Rouse, will send a letter thanking them for their donation.

Resolution for BEGWS RAN:

REVENUE ANTICIPATION NOTE RESOLUTION

At a regular meeting of the Village board, Village of Bath, held at the Village Hall in Bath, New York, on the 18th day of February, 2014 at 5:30 o'clock p.m.

1. The meeting was called to order by Mayor William von Hagn and upon roll being called, the following were

PRESENT:

William von Hagn
Jeanne Glass
Mark Bardeen
Michael McNally
Michael Sweet

ABSENT: None

The following resolution was moved, seconded and adopted, to wit:

A resolution authorizing the issuance of a Revenue Anticipation Note not exceeding \$440,000.00 by the Village of Bath, County of Steuben, State of New York in anticipation of revenue to be received during the 2014-2015 fiscal year in the nature of gas and electric revenues through the sale of gas and electric energy to customers in the Village of Bath by Bath Electric, Gas, Water and Sewer (BEGWS), a municipally owned utility.

WHEREAS, the Mayor of the Village of Bath has advised the Village Board that certain revenues from the sale of gas and electric energy are anticipated to be received in the year 2014, and that \$639,000.00 of expenses will become due prior to the receipt of said revenues; and

WHEREAS, the Village Board of the Village of Bath, New York, now desires to provide for the issuance and form of a revenue anticipation note of the Village to finance the cash flow needs of the Village (BEGWS) prior to receipt of said revenues from the sale of gas and electric energy; it is hereby,

RESOLVED, by the Village Board of the Village of Bath, New York, as follows:

Section 1. The Village of Bath in the County of Steuben, New York (the Village) is authorized to issue \$440,000.00 of Revenue Anticipation Notes pursuant to the Local Finance Law of the State of New York, constituting Chapter 33-a of the Consolidated Laws of the State of New York (the Local Finance Law) in anticipation of revenues due and payable from the sale of gas and electric energy in the fiscal year ending December, 2014.

Section 2. The revenues anticipated are those generated by the sale of gas and electric energy during the fiscal year ending December, 2014.

Section 3. Said Revenue Anticipation Notes shall mature not later than December 31, 2016.

Section 4. Said Revenue Anticipation Notes are not issued to renew any prior notes.

Section 5. The amount of said Revenue Anticipation Notes to be issued pursuant to the terms of this resolution does not exceed the amount of said cash flow deficit projected in the monthly cash flow projections in the General Fund of the Village.

Section 6. The amount of said Revenue Anticipation Notes does not exceed the amount of uncollected specific revenues in anticipation of which said notes are issued.

Section 7. Said Revenue Anticipation Notes are issued during the same fiscal year in which the specific anticipated revenues are due and payable.

Section 8. The total amount of revenue anticipated in the budget of the Village to be received during the current fiscal year is \$440,000.00.

Section 9. The total amount of said specific revenues heretofore received by the Village is \$ NONE.

Section 10. The total amount of said specific revenues, less the amount of said revenues actually collected or received by the Village is \$440,000.00.

Section 11. Pursuant to Section 25.00(g) of the Local Finance Law, all of said specific revenues due and payable from New York State to the Village as hereinafter received or collected by the Village, shall be set aside in a special bank account up to a amount equal to the principal amount of the notes issued hereunder, to be used only for the payment of the Revenue Anticipation Notes authorized by this Resolution as they become due.

Section 12. The proceeds of the Revenue Anticipation Notes received by the Village pursuant to the sale issuance and delivery of the notes and at the closing thereof shall be used only for the purpose of (1) meeting expenditures payable from the type of revenue in anticipation of which said notes were issued, or (2) for the redemption of the notes or any notes issued in renewal of said notes, pursuant to Section 25.00 (c) of the Local Finance Law.

Section 13. The Revenue Anticipation Notes issued pursuant to the terms of this resolution shall mature within one year and may be renewed from time to time, but each such renewal shall be for a period not exceeding one year and in no event shall such notes, or the renewal thereof, extend beyond the close of the second fiscal year succeeding the fiscal year in which such notes were issued. Such notes shall not be renewed in an amount in excess of the difference between the amount of the uncollected or unreceived revenue in anticipation of which they were issued and the amount of any other outstanding Revenue Anticipation Notes issued in anticipation of the collection or receipt of such revenue.

Section 14. Each of the notes authorized by this resolution shall contain the recital of validity prescribed by Section 52.00 of the Local Finance Law and shall be general obligations of the Village, payable as to both principal and interest by a general tax upon all the taxable real property within the Village without limitation as to rate or amount. The faith and credit of the Village are hereby irrevocably pledged to the punctual payment of the principal of and interest on said notes and provision shall be made annually in the budget of the Village by appropriation for the payment of interest on said notes to be due and payable in such year, if any.

Section 15. If it should appear to the Mayor of the Village that the revenues anticipated to be received pursuant to the terms of the resolution will not be received within the second fiscal year subsequent to the fiscal year in which these notes are issued, the Village shall provide in said fiscal year in the Budget of the Village by appropriation for the amortization and redemption of the notes maturing in such year.

Section 16. Subject to the provisions of this resolution and the Local Finance Law, and pursuant to the provision of section 39.00 relative to the Authorization of the issuance of Revenue Anticipation Notes and of Section 50.00 and sections 56 to 60.00 of the Local Finance Law, the powers and duties of the Village relative to prescribing the terms, form and content as

to the sale and issuance of the notes and any renewals thereof, are hereby delegated to the Mayor, the chief fiscal officer to the Village.

Section 17. This resolution shall take effect immediately.

The question of the adoption of the foregoing resolutions was duly put to vote on roll

Call, which resulted as follows:

William von Hagn	Voting:	Yea
Jeanne Glass	Voting:	Yea
Mark Bardeen	Voting:	Yea
Michael McNally	Voting:	Yea
Michael Sweet	Voting:	Yea

The resolution was there upon declared duly adopted.

STATE OF NEW YORK)
COUNTY OF STEUBEN) ss.:

I, Jacqueline Shroyer, Village Clerk of the Village of Bath, Steuben County, New York do hereby certify that I have compared the foregoing resolution with the original thereof filed in my office in Bath, New York, and that the same is a true and correct copy of said original and the whole thereof.

I further certify that all members of the Village Board had due notice of the meeting at which said resolution was accepted.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of said Village this 18th day of February, 2014.

Jacqueline Shroyer, Village Clerk
Village of Bath, Steuben County, New York

Set up Public Hearing Date on Campgrounds:

Motion made by Trustee Glass, seconded by Trustee Bardeen to set the public hearing to amend local law number 1 of 1969 pertaining to the basis for charges of campgrounds in the

Sewer Use Law for March 17, 2014 at 5:30 p.m. All present were in favor and the motion was carried.

Old Business:

Discussion on Adult Use:

Discussion was made on the Adult use district. The Mayor would like to see it be placed on the other side of the Highway by Belfast Street, South of the highway but North of the entrance into the VA Center. There are 7.6 acres of land over there. Discussion was made on the area, along with concerns to put it there.

Motion made by Trustee Bardeen to designate the area over by the VA Center as an adult use district. No one seconded and the motion did not pass.

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 7:38 p.m. to go into executive session for contractual reasons. All present were in favor and the motion was carried.

Return to Regular Session:

Motion made by Trustee Glass, seconded by Trustee Bardeen to return to regular session at 8:00 p.m. All present were in favor and the motion was carried.

Stipend for Utility Commission:

Motion made by Trustee McNally, seconded by Trustee Bardeen to authorize the utility commission to receive a stipend not to exceed \$4,000.00 per year for each commissioner effective March 1, 2014. The Commissioners will set their own rate, not to exceed the \$4,000.00 per year. All present were in favor and the motion was carried.

Adjournment:

Motion made by Trustee McNally, seconded by Trustee Sweet to adjourn the regular meeting at 8:20 p.m. All present were in favor and the motion was carried.

Respectfully submitted by:

Jacqueline Shroyer
Clerk/Treasurer