

**OFFICIAL MINUTES OF THE BOARD OF TRUSTEES
FOR THE VILLAGE OF BATH
PUBLIC HEARING/REGULAR MEETING
NOVEMBER 16, 2015**

This meeting of the Board of Trustees of the Village of Bath was held on the 16th day of November 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	Code Enforcement:	Ralph Senese
Trustee:	Melanie Coots	Clerk/Treasurer:	Jacqueline Shroyer
Trustee:	Mark Bardeen	Attorney:	Patrick McAllister
Trustee:	Mike Sweet	Street Superintendent:	Jeff Muller
Fire Chief:	Joe Washburn	Police Chief:	Chad Mullen
BEGWS Director:	Guy Hallgren		

Absent:

Deputy Mayor/Trustee: Jeanne Glass

Regular Meeting:

Correspondence:

First Presbyterian Church – Banner Request:

Motion made by Trustee Bardeen, seconded by Trustee Sweet to allow the First Presbyterian Church to display a banner for their Manger and Angel Display for Spirit of Christmas. All present were in favor and the motion was carried.

Street Festival – Pulteney Park Request:

Motion made by Trustee Coots, seconded by Trustee Sweet to approve the request for the use of Pulteney Park on July 22 and July 23, 2016 for the Civic 3 on 3 Street Festival. All present were in favor and the motion was carried.

Catholic Charities – Pulteney Park Request:

Motion made by Trustee Bardeen, seconded by Trustee Sweet to approve the request for the use of Pulteney Park on May 14, 2016 for Catholic Charities 8th Annual Steps to End Poverty Walk. All present were in favor and the motion was carried.

Audit of Bills:

Motion made by Trustee Sweet, seconded by Trustee Coots to approve the payment of the Village bills in the amount of \$561,965.08. All present were in favor and the motion was carried.

Department Head Reports:

Jackie Shroyer, Clerk/Treasurer Report:

Motion made by Trustee Bardeen, seconded by Trustee Sweet to combine all budget amendments and budget transfers into one motion. All present were in favor and the motion was carried.

Motion made by Trustee Sweet, seconded by Trustee Coots to approve the following budget amendments and budget transfers. All present were in favor and the motion was carried.

Budget Amendment:

Increase A3060 State Aid – Records Mgmt by \$16,612

Increase A1325.4 Clerk – Contractual by \$16,612

To cover grant reimbursement expenses

Budget Transfers:

To Transfer \$812.50 from A1990.4 Contingent Account to A9060.81 HRA – Sworn Officer to cover the expense of an HRA for a new officer.

To Transfer \$583.31 from A1990.4 Contingent Account to A9060.83 HRA – Contract Employees to cover the expense of an HRA for a new street department employee.

To Transfer \$3,480.00 from A1990.4 Contingent Account to A7141.41 Mossy Bank Park – Nature Center to cover the expenses used from donation made in a previous fiscal year.

To Transfer \$6,500.00 from A3620.1 Safety Inspection - Personnel to A3620.4 Safety Inspection – Contractual due to all the property clean up done this year.

Visitors:

Michael McDarby – Storage Space:

Motion made by Trustee Sweet, seconded by Trustee Coots to allow the State Police to store their truck in the old Fire Hall with no storage fees, they have to provide a Certificate of Liability for insurance, and they indemnify the village of any liability for the vehicle. All present were in favor and the motion was carried.

New Business:

Town of Wheeler Fire Agreement:

Motion made by Trustee Sweet, seconded by Trustee Bardeen to approve the Town of Wheeler Fire Agreement for 2016. All present were in favor and the motion was carried.

Part-Time Police Officer Resolution:

RESOLUTION
VILLAGE OF BATH BOARD OF TRUSTEES
BATH, NEW YORK

DATE APPROVED: Monday, November 16, 2015 DATE: Monday, November 16, 2015

INTRODUCED BY: Trustee Sweet SECONDED BY: Trustee Coots

VOTE:	Mayor von Hagn	Aye	Nay	Absent
	Trustee Glass	Aye	Nay	Absent
	Trustee Bardeen	Aye	Nay	Absent
	Trustee Coots	Aye	Nay	Absent
	Trustee Sweet	Aye	Nay	Absent

TITLE: Appointment of Jordan Walrath as Part-time Police Officer for the Village of Bath to fill the last vacancy.

WHEREAS, the Bath Board of Trustees had previously voted on a resolution for the need to fill eight part time police officer position in an effort of keeping police department over-time to manageable levels.

WHEREAS, the Bath Village Chief of Police, is recommending to the Board that Jordan Walrath be appointed to the position of part-time police officer commencing Wednesday, September 30, 2015;

WHEREAS, Jordan Walrath currently meets all the Municipal Police Training Council's requirements as a police officer;

WHEREAS, the police department has conducted a background investigation and determined Jordan Walrath's suitability as a part-time police officer for the Village of Bath;

WHEREAS, Jordan Walrath will be compensated pursuant to the collective bargaining agreement between the Village of Bath Board of Trustees and the Bath Police Benevolent Association;

WHEREAS, all new part-time police officer hires for the Village of Bath remain on a probationary period not to exceed 18 months from the date of appointment, Jordan Walrath's probationary period will commence on Wednesday, September 30, 2015;

BE IT RESOLVED, that the Village of Bath Board of Trustees is hereby appointing Jordan Walrath, effective Wednesday, September 30, 2015 to the position of Part-time Police Officer contingent on the aforementioned stipulations.

Resolution for County to Collect Unpaid Taxes:

Motion made by Trustee Bardeen, seconded by Trustee Sweet resolving that the Village Board of Trustees authorizes the County of Steuben to collect unpaid 2015/2016 taxes in the amount of \$180,141.93. All present were in favor and the motion was carried.

Retirement Resolution:

Resolution reopening Section 384-d of the Retirement and Social Security Law for Bradley M Fuerst as set forth in Chapter 339, Laws of 2015.

At a meeting of the governing board of the Village of Bath held in Bath, NY on November 16, 2015, Trustee Coots offered the following resolution:

“BE IT RESOLVED: that the governing board of the Village of Bath, does hereby assume the additional cost required to provide the reopening of Section 384-d of the Retirement and Social Security Law, pursuant to Chapter 339 of the Laws of 2015.”

All present were in favor and the motion was carried.

Acknowledgement of Liquor License:

Motion made by Trustee Bardeen, seconded by Trustee Coots to acknowledge that Steuben Bowling Academy has renewed their liquor license with the State of New York. All present were in favor and the motion was carried.

Approve Extra Dollars for Website Design:

Motion made by Trustee Coots, seconded by Trustee Sweet to approve the additional \$90.00 paid for website design. All present were in favor and the motion was carried.

Parking Lot Name:

Motion made by Trustee Coots, seconded by Trustee Sweet to approve the name of the parking lot to be Liberty Square. All present were in favor and the motion was carried.

Resolution for Health Insurance:

VILLAGE OF BATH BOARD OF TRUSTEES RESOLUTION

DATE APPROVED: Monday, November 16, 2015 DATE: Monday, November 16, 2015

INTRODUCED BY: Trustee Sweet SECONDED BY: Trustee Bardeen

VOTE:	Mayor von Hagn	Aye	Nay	Absent
	Trustee Glass	Aye	Nay	Absent
	Trustee Bardeen	Aye	Nay	Absent
	Trustee Coots	Aye	Nay	Absent
	Trustee Sweet	Aye	Nay	Absent

APPROVING CHANGE IN HEALTH INSURANCE PLAN FOR CERTAIN POLICE DEPARTMENT PERSONNEL

WHEREAS, the current collective bargaining agreement between the Village of Bath (“Village”) and the Bath Police Benevolent Association, Inc. (“PBA”) requires the Village to continue to provide the PBA bargaining unit members with a group health insurance plan with

benefits which, when viewed as a whole, are substantially equivalent to those of the Excellus BlueEPO Option J Plan, which is the current health plan for said Police Department personnel; and

WHEREAS, upon information and belief, Excellus has stated an intention to terminate the current health plan for the Police Department personnel in 2016; and

WHEREAS, this Board of Trustees has determined that the Village would be best served by changing health plans for the Police Department personnel as a means of obtaining health care cost containment while still providing the PBA unit members and retirees with high quality health care coverage but at a lower premium;

NOW, THEREFORE BE IT RESOLVED, that this Board of Trustees hereby authorizes the Village administration to make a change in the health plan from the Excellus BlueEPO Option J Plan to the Fingers Lakes Municipal Health Insurance Trust Mid-Plan, with the understanding and belief that the benefits of the Fingers Lakes Municipal Health Insurance Trust Mid-Plan are, when viewed as a whole, substantially equivalent to those of the Excellus BlueEPO Option J Plan; and

BE IT FURTHER RESOLVED, that said change in health plan shall be made as soon as reasonably practical; and

BE IT FURTHER RESOLVED, that a copy of this resolution shall be provided forthwith to the PBA Unit President.

Dated: November 16, 2015

Resolution for Parking Lot Grant:

Village of Bath
RESOLUTION
November 16, 2015

DATE APPROVED: Monday, November 16, 2015 DATE: Monday, November 16, 2015

INTRODUCED BY: Trustee Sweet SECONDED BY: Trustee Coots

VOTE:	Mayor von Hagn	Aye	Nay	Absent
	Trustee Glass	Aye	Nay	Absent
	Trustee Bardeen	Aye	Nay	Absent
	Trustee McNally	Aye	Nay	Absent
	Trustee Sweet	Aye	Nay	Absent

TITLE - changes to Rural Development Project Budget/Cost Certification

WHEREAS; The Village of Bath has accepted a grant from the United States Department of Agriculture, Rural Development, for the *Downtown Pulteney Square Revitalization Project* and adjacent parking area, and,

WHEREAS; Project Budget/Cost Certification has been modified to allow for changes in Administration, Technical and Construction services for the following line items:

Administrative;

Budget Item A (6) Lands & Rights of Way – removed line item value of \$5,382.00 - no purchasing of land or rights of way was required for this project;

Budget Item A (8) Miscellaneous – addition of \$111.65 to line item to show monies expended in advertisement for solicitation of construction bids;

Technical Services;

Budget Item B (1. b) Design Phase – increase of line item to \$20,800.00 to match signed engineer agreement;

Budget Item B (1. d) Resident Inspection – increase of line item to \$30,137.52 to account for actual time spent and vehicle use;

Budget Item B (1. e) Construction Administration – added line item of \$2,612.32 for construction administration provided by LaBella Associates upon the Village of Bath's verbal request;

Construction;

Budget Item C (1. a) Pavement Striping - decrease in line item to \$3,541.92 to reflect actual costs;

Budget Item C (1. b) Permeable Pavers- increase in line item to \$122,730.18 to reflect actual costs;

Budget Item C (1. c) Storm Sewer System - increase in line item to \$135,911.24 to reflect actual costs;

Budget Item C (1. d) Chain Link Fence – decrease in line item to \$13,249.31 to reflect actual costs;

Budget Item C (1. f) Contractor Base Bid – increase in base contract to \$662,714 through change orders #1, 3 and 4 (net change was an additional \$10,404 to base bid);

Budget Item C (1. g) Meters for Parking Lot – contractor base bid Alternate # 6 Parking Kiosk not selected resulting in additional cost of \$15,446.43 for installation of meters;

Budget Item C (1. h) Landscaping for Islands – add on cost of \$6,380.12 for landscaping of new parking lot islands;

Budget Item C (1. i) Environmental (tank removal) – \$5,249.70 in additional costs incurred when abandoned underground tanks were uncovered during construction;

Budget Item C (1. j) Asphalt Curbing – add on cost of \$6,417.83;

NOW, THEREFORE be it

RESOLVED; that the Village of Bath Village Board accepts the changes as outlined in the Project Budget/Cost Certification and decreases the contingency for the budget to \$80,101.42.

Payment for Parking Lot Vendors:

Motion made by Trustee Coots, seconded by Trustee Sweet to borrow \$150,000.00 from the General Fund to pay the upfront costs of the parking lot project to be reimbursed with grant money when the project is complete. All present were in favor and the motion was carried.

Adjourn Regular Meeting/Executive Session:

Motion made by Trustee Bardeen, seconded by Trustee Coots to adjourn the regular meeting of the Board of Trustees of the Village of Bath at 6:30 p.m. to go into executive session for an update on Street Negotiations and a medical update on personnel. All present were in favor and the motion was carried.

Return to Regular Session:

Motion made by Trustee Bardeen, seconded by Trustee Coots to return to regular session at 6:51 p.m. All present were in favor and the motion was carried.

Adjournment:

Motion made by Trustee Bardeen, seconded by Trustee Coots to adjourn the regular meeting at 7:03 p.m. All present were in favor and the motion was carried.

Respectfully submitted by:

Jacqueline Shroyer
Clerk/Treasurer