

**OFFICIAL MINUTES OF THE BOARD OF TRUSTEES
FOR THE VILLAGE OF BATH
PUBLIC HEARING/REGULAR MEETING
APRIL 18, 2016**

This meeting of the Board of Trustees of the Village of Bath was held on the 18th day of April 2016 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	Clerk/Treasurer:	Jacqueline Shroyer
Deputy Mayor/Trustee:	Michael Sweet	Police Chief:	Chad Mullen
Trustee:	Mark Bardeen	Attorney:	Patrick McAllister
Trustee:	Melanie Coots	Code Enforcement:	Ralph Senese
Trustee:	Jeanne Glass	1 st Asst Fire Chief:	Robin Havens
Street Superintendent:	Jeff Muller		

Absent:

BEGWS Director: Guy Hallgren
Fire Chief: Joe Washburn

Public Hearing:

Local Law – Amend Chapter 119:

This public hearing was opened at 5:30 p.m.

Motion made by Trustee Coots, seconded by Trustee Sweet to withdraw this public hearing from the schedule as the attorney advised the board there needs to be a SEQRA involved prior to the public hearing. All present were in favor and the motion was carried.

Local Law – Amend Chapter 15:

This public hearing was opened at 5:31 p.m.

No discussion was made.

Motion made by Trustee Sweet, seconded by Trustee Bardeen to close the public hearing at 5:31 p.m. All present were in favor and the motion was carried.

Regular Meeting:

Adjourn Regular Meeting/Executive Session:

Motion made by Trustee Coots, seconded by Trustee Sweet to adjourn the regular meeting of the Board of Trustees of the Village of Bath at 5:32 p.m. to go into executive session for a conference call on litigation. All present were in favor and the motion was carried.

Return to Regular Session:

Motion made by Trustee Bardeen, seconded by Trustee Sweet to return to regular session at 5:54 p.m. All present were in favor and the motion was carried.

Appointments:

Motion made by Trustee Coots, seconded by Trustee Sweet to appoint Jeff Robbins for the Planning Board for a three year term. All present were in favor and the motion was carried.

Motion made by Trustee Glass, seconded by Trustee Bardeen to appoint Lee Cornaire for a three year term and Mary Paddock for a 2 year term to the ethics board. All present were in favor and the motion was carried.

Correspondence:**David Clarke – Wednesday Farmers Market:**

Motion made by Trustee Sweet, seconded by Trustee Bardeen to approve the request from David Clarke for the use of Pulteney Park on Wednesdays from May 4, 2016 to October 26, 2016 for the Wednesday Farmer's Market pending receipt of the parking fee of \$420.00 to offset the cost of the meters. All present were in favor and the motion was carried.

Audit of Bills:

Motion made by Trustee Bardeen, seconded by Trustee Coots to approve the payment of the Village bills in the amount of \$136,261.86. All present were in favor and the motion was carried.

Department Head Reports:**Jackie Shroyer, Clerk/Treasurer Report:**

Motion made by Trustee Coots, seconded by Trustee Glass to approve the following budget transfers:

To Transfer \$540.00 from A3120.42 Police Dept Gas & Oil to A3120.45 Police Dept – Phone Services to cover Phone expenses for Police Dept.

To Transfer \$675.00 from A3320.4 Parking - Contractual to A3320.43 Parking – Complus Contract to cover the Complus Contract.

To Transfer \$6,000.00 from A5110.49 Street – Blacktop to A7141.4 Mossy Bank – Contractual for Blacktop Sealing.

To Transfer \$95,300 from A5110.49 Street – Blacktop to A5110.2 Street – Equipment for the purchase of 2 one-tons.

To Transfer \$3,764.99 from A3120.42 Police – Gas & Oil to A3120.2 Police – Equipment to cover the extra cost of the new vehicle.

To Transfer \$8,000.00 from A5142.1 Snow Removal – Personal to A5110.2 Street – Equipment for Tractor Purchase.

To Transfer \$46,220.00 from A3620.1 Safety Inspection – Personal Services to A9901.9 Transfers to Other Funds to put retirement money into reserve.

To Transfer \$90,000.00 from A5110.1 Street – Personal Services to A9901.9 Transfers to Other Funds to put retirement money into reserve.

To Transfer \$15,000.00 from A5110.42 Street – Gas/Oil to A5110.48 Street Repairs to cover expenses for extra repairs.

To Transfer \$19,500.00 from A1990.4 Contingent Account to A9060.8 Health Insurance to cover expenses not budgeted for a retirement replacement.

Amend Budget

Increase Expense A8510.4 Community Development by \$2,000.00

Increase Revenue A3989 State Aid – Other Home and Community Service by \$2,000.00.
For Technical Assistance Grant

Increase Expense Police – Equipment A3120.2 by \$10,000.00

Increase Revenue Federal Aid – Other A4089 by \$10,000.00
For USDA Vehicle Grant

Committee Reports:

Trustee Sweet:

Motion made by Trustee Sweet, seconded by Trustee Glass instructing Attorney, Patrick McAllister to look at and update law on the Parking Meter times. All present were in favor and the motion was carried.

New Business:

Local Law #2 – Amend Chapter 15:

Motion made by Trustee Sweet, seconded by Trustee Bardeen to approve Local Law #2 amending Chapter 15. All present were in favor and the motion was carried.

Old Parking Meters:

Motion made by Trustee Sweet, seconded by Trustee Coots to declare the old parking meters as surplus and place a \$25.00 price tag on them. All present were in favor and the motion was carried.

Complus Data Agreement:

Motion made by Trustee Sweet, seconded by Trustee Coots to authorize the mayor to sign the Complus Data Agreement for the equipment for the parking ticket machines. All present were in favor and the motion was carried.

Method for Choosing Properties for Technical Assistance Grant:

Motion made by Trustee Bardeen, seconded by Trustee Coots to approve the method of choosing properties for the Technical Assistance Grant as the BMSI Grant Project Scoring. All present were in favor and the motion was carried.

Set up Year End Abstract Meeting for Tuesday, May 31:

Motion made by Trustee Sweet, seconded by Trustee Coots to set up the Year End Abstract Meeting for Tuesday, May 31, 2016 at 4:00 p.m. All present were in favor and the motion was carried.

Approve Mowing Contract:

Motion made by Trustee Sweet, seconded by Trustee Bardeen to approve the mowing contract from Bill’s Lawns & More for \$8,740.00 per year for a two year contract. All present were in favor and the motion was carried.

Approve One-Ton Bid:

Motion made by Trustee Coots, seconded by Trustee Bardeen to approve the one-ton bid from Simmons-Rockwell to purchase 2 one-tons at \$47,650 each. All present were in favor and the motion was carried.

Price of Bricks:

Motion made by Trustee Sweet, seconded by Trustee Coots to sell the bricks that come out of Pulteney park at \$0.10 each. All present were in favor and the motion was carried.

Amended Bond Resolution for Dump Body:

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 April 18, 2016.

PRESENT: Mayor von Hagn
 Trustee Glass
 Trustee Sweet
 Trustee Coots
 Trustee Bardeen

ABSENT: _____

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

RESOLUTION OF THE BOARD OF TRUSTEES OF THE VILLAGE OF BATH, STEUBEN COUNTY, NEW YORK (THE “VILLAGE”), AMENDING A BOND RESOLUTION DATED MAY 18, 2015, RELATING TO THE AUTHORIZING OF SERIAL BONDS OF THE VILLAGE TO FINANCE THE ACQUISITION OF ONE DUMP TRUCK WITH SNOW PLOW

WHEREAS, the Board of Trustees (the “Board”) of the Village of Bath, Steuben County, New York (the “Village”) by bond resolution duly adopted by the Board on May 18, 2015 (the “Original Bond Resolution”), authorized, among other things, the issuance of \$188,000 in serial bonds of the Village to finance the acquisition of one (1) dump truck with snow plow, at an estimated maximum cost of \$188,000 (the “Project”); and

WHEREAS, the Board now wishes to amend the Original Bond Resolution to (i) increase the estimated maximum cost of the Project (but not the authorized amount of the bonds to be issued for the Project) from \$188,000 to \$195,000 and (ii) to revise the plan of finance to consist of (i) the issuance of up to \$188,000 in serial bonds of the Village, or bond anticipation notes issued in anticipation thereof, to finance said appropriation, (ii) the partial repayment of such bonds or bond anticipation notes with, and/or the direct expenditure on the Project of, \$45,000 in grant monies to be received by the Village from the United States Department of Agriculture Office of Rural Development and \$57,700 in current funds of the Village, and (iii) the levy and collection of taxes on all the taxable real property in the Village to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable; and

WHEREAS, the Project constitutes a “Type II” action under the New York State Environmental Quality Review Act and the regulations promulgated thereunder (6 NYCRR Part 617.5(c)) (collectively, “SEQRA”) and therefore no further action need be taken by the Town Board under SEQRA as a pre-condition to the adoption of this resolution.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Trustees (the “Board of Trustees”) of the Village of Bath, Steuben County, New York (the “Issuer” or the “Village”) (by the favorable vote of not less than two-thirds of all the members of such body), as follows:

SECTION 1. Section 1 of the Original Bond Resolution is hereby amended in its entirety to read as follows:

“SECTION 1. The Village is hereby authorized to undertake the Project, consisting of the acquisition of one dump truck with snow plow. The estimated maximum cost of the aforementioned specific object or purpose, including all costs incidental thereto or in connection with the financing thereof, is \$195,000 and said amount is hereby appropriated therefor. The plan for the financing thereof shall consist of (i) the issuance of up to \$188,000 in serial bonds of the Village, or bond anticipation notes issued in anticipation thereof, to finance said appropriation, (ii) the partial repayment of such bonds or bond anticipation notes with, and/or the direct expenditure on the Project of, \$45,000 in grant monies to be received by the Village from the United States Department of Agriculture Office of Rural Development and \$57,700 in current funds of the Village, and (iii) the levy and collection of taxes on all the taxable real property in the Village to pay the principal of said bonds or notes and the interest thereon as the same shall become due and payable.”

SECTION 2. In accordance with Section 36.00 of the Law, this resolution is subject to permissive referendum in the manner prescribed by Article 9 of the Village Law of the State of New York (the “Village Law”). The Village Clerk is authorized and directed, within ten (10) days after the date of adoption of this resolution by the Board, to post and publish a notice with respect to this resolution satisfying the requirements of Section 9-900 of the Village Law, which shall set forth the date of adoption of this resolution, shall

contain an abstract hereof, and shall specify that this resolution was adopted subject to a permissive referendum. Such notice shall be published in the official newspaper of the Village for such purposes.

SECTION 3. In accordance with the Village Law, this resolution will take effect thirty (30) days after the date of its adoption, unless prior to the close of such thirty-day period there is filed with the Village Clerk a petition, subscribed and acknowledged by at least twenty percent (20%) qualified electors of the Village, as shown on the Village's register of electors for the last general Village election, protesting against this resolution and requesting that it be submitted for approval or disapproval by the qualified electors of the Village. If such a qualifying petition is filed, a proposition for approval of this resolution shall be submitted at a special Village election held not less than ten (10) and not more than sixty (60) days after the filing of such petition. As soon as reasonably possible after the date that this resolution takes effect, the Village Clerk is hereby authorized and directed to cause a copy of this Resolution to be published in full in the official newspaper of the Village for such purposes, together with a notice of the Village Clerk in substantially the form provided in Section 81.00 of the Law.

SECTION 4. Except as specifically amended herein, all the terms and provisions of the Original Bond Resolution shall remain in full force and effect.

The following vote was taken and recorded in the public or open session of said meeting:

	AYE	NAY
Mayor von Hagn	X	
Trustee Glass	X	
Trustee Sweet	X	
Trustee Coots	X	
Trustee Bardeen	X	

Date: April 18, 2016

Arbor Day Proclamation:

Motion made by Trustee Glass, seconded by Trustee Coots to approve the Arbor Day Proclamation for May 6, 2016. 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 6:48 p.m. to go into executive session to update the board on negotiations and settlement agreement. 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 6:55 p.m. All present were in favor and the motion was carried.

Adjournment:

Motion made by Trustee Bardeen, seconded by Trustee Sweet to adjourn the regular meeting at 6:55 p.m. All present were in favor and the motion was carried.

Respectfully submitted by:

Jacqueline Shroyer
Clerk/Treasurer