

**OFFICIAL MINUTES OF THE BOARD OF TRUSTEES  
FOR THE VILLAGE OF BATH  
PUBLIC HEARING/REGULAR MEETING  
NOVEMBER 20, 2017**

This meeting of the Board of Trustees of the Village of Bath was held on the 20th day of November 2017 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	Police Chief:	Chad Mullen
Trustee:	Mike Sweet	Street Supervisor:	Thomas Gutow
Trustee:	Mark Bardeen	BEGWS Director:	Erin Bonacci
Trustee:	Melanie Coots	Fire Chief:	Robin Havens
Clerk/ Treasurer:	Jacqueline Shroyer	Code Enforcement:	Ralph Senese
Attorney:	Patrick McAllister	Street Asst. Super:	Michael Bly

**Absent:**

Deputy Mayor/Trustee:        Jeanne Glass

**Public Hearing:**

**Local Law #7 – Event Fees:**

Public Hearing opened at 5:30 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.

**Visitors:**

**Jerry Karns – Parking at Music in the Park:**

Jerry Karns had concerns with the parking at the Music in the Park events during the summer. He explained that he was told different things about parking in the park during Music in the Park. He had received permission in the past to be able to drive up to the gazebo in order for bands to unload their equipment. After the last Music in the Park for the summer he was informed there would be absolutely no driving on the grass or the pavers for the event. He came to the board in order to see how they would like him to proceed next year for those events. The board discussed options with him and the Shade Tree Chairman, Lee Cornaire. The decision would be to use the access path directly in front of the Presbyterian church and to block off 4 parking spaces near the park access for band or sound system parking. The board would not like to see vehicles parked in the park at all. Once the event is over, they can pull in the same way to load their equipment and pull back out quickly. They were also given permission to use those 4 corner parking spots to park their vehicles there.

**Bonadio – Audit 2017:**

The Bonadio Group presented the draft 2017 audit to the board. The board will review the audit and it will be added to the agenda for the December meeting.

**Victoria Ehlen – STC Discussion:**

Victoria Ehlen presented to the board different grant opportunities and trainings that STC could offer municipalities. The two grant funding opportunities she spoke about are EDA Grant eligibility and ARC Funds. She explained that STC has been around for 45 years. She also asked if anyone would like to see more trainings and asked for ideas for trainings.

**Appointments:**

**Jeffrey Muller – BEGWS Commission:**

Motion made by Trustee Sweet, seconded by Trustee Bardeen to reappoint Jeffrey Muller to the BEGWS Commission for a 5 year term. All present were in favor and the motion was carried.

**Audit of Bills:**

Motion made by Trustee Coots, seconded by Trustee Bardeen to approve the payment of the Village bills in the amount of \$624,610.24. All present were in favor and the motion was carried.

**Department Head Reports:**

**Thomas Gutow, Street Superintendent:**

Street Report was received.

Motion made by Trustee Coots, seconded by Trustee Sweet to approve Michael Bly as Assistant Street Superintendent effective November 3, 2017. All present were in favor and the motion was carried.

**Chad Mullen, Police Chief:**

Police Report was received.

**Ralph Senese, Code Enforcement:**

Code Enforcement Report was received.

**Robin Havens, Fire Chief:**

Fire Department Report was received.

**Erin Bonacci, BEGWS Director:**

BEGWS Minutes were received.

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

Clerk/Treasurer Report was received.

Motion made by Trustee Bardeen, seconded by Trustee Coots to approve the following budget modifications:

**Budget Modification:**

To Transfer \$2,075 from A9015.8 Police & Fire Retirement and \$4,509 from A1990.4 Contingent Account to A9010.8 State Retirement to cover the overage in the State Retirement annual invoice.

Increase Expense Asset Forfeiture A3989.4 Misc. Public Safety Contractual - \$6,683.76  
Increase A511 Appropriated Reserves - \$6,683.76

Increase A3389 – St. Aid – Other Public Safety by \$8,952.60  
Increase A3120.412 Police Dept – Supplies by \$8,952.60

**Reserve Fund Transfers:**

Transfer \$82,448.09 from Reserve Fund Retirement Reserve to General Fund to cover Retirement Expense.

**Reserve Fund Budget Modification:**

Increase Fund Balance A599 Appropriated Fund Balance – 82,448.09  
Increase A5110.1 Street Dept. Personnel - \$82,448.09  
For Employee Retirement Buyout

**New Business:**

**Local Law #7 – Event Fees:**

Motion made by Trustee Sweet, seconded by Trustee Bardeen to approve local law #7 amending license fee requirements for Village approved charity events and Village sponsored events. All present were in favor and the motion was carried.

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

Motion made by Trustee Coots, seconded by Trustee Sweet resolving that the Village Board of Trustees authorizes the County of Steuben to collect unpaid 2017/2018 taxes in the amount of \$214,548.60. All present were in favor and the motion was carried.

**Resolution for Village Election for March 20:**

Motion made by Trustee Sweet, seconded by Trustee Bardeen resolving that the annual village election will be held on Tuesday, March 20, 2018 from 12:00 noon until 9:00 p.m. to fill the vacancy of the mayor for the term of April 2, 2018 through April 5, 2020. All present were in favor and the motion was carried.

**Election Resolution – Polling Place:**

WHEREAS, the election law for the state of New York, article 15-104, Sub. 3, provides for the conduct of village election, it is therefore in compliance therewith, at a regular meeting of the Board of Trustees of the Village of Bath held on the 20th day of November 2017, moved by Trustee Sweet, seconded by Trustee Coots, all Trustees and Mayor present voting in favor,

resolved that the annual Village election will be held on the 20th day of March, 2018 with the following particulars:

The Village of Bath, New York, constitutes one election district, and the polling place of such district is the Municipal Building, Liberty Street, Bath, New York. The hours during which the polls shall be open for voting shall be 12:00 noon until 9:00 p.m.

Notice is hereby given that the vacancies and their terms of office are as follows:

Village Mayor – One (1) Position, Two (2) year term – April 2, 2018 – April 5, 2020.

**Standardization of Electric Meters and AMR:**

RESOLUTION  
VILLAGE OF BATH BOARD OF TRUSTEES  
BATH, NEW YORK

DATE APPROVED: Monday, November 20, 2017 INTRO. DATE: Monday, November 20, 2017

INTRODUCED BY: Trustee Bardeen SECONDED BY: Trustee Coots

VOTE:	Mayor vonHagn	<b>Aye</b>	Nay	Abstain	Absent
	Trustee Glass	<b>Aye</b>	Nay	Abstain	<b>Absent</b>
	Trustee Bardeen	<b>Aye</b>	Nay	Abstain	Absent
	Trustee Sweet	<b>Aye</b>	Nay	Abstain	Absent
	Trustee Coots	<b>Aye</b>	Nay	Abstain	Absent

**WHEREAS**, the Village has committed to testing its residential, commercial and industrial electric meters in accordance with the rules and regulations set forth by the New York State Public Service Commission; and

**WHEREAS**, there is a need for the standardization of Radian’s electric meter shop test equipment for the testing and acceptance of residential, commercial and industrial electric meters for reasons of efficiency and economy; said reasons being in part that the Village current owns Radian’s electric meter field test equipment, which has been used by the Village for several years and will continue to provide reliable electric meter testing In addition, the Village employees who perform the testing of the residential, commercial and industrial electric meters are fully familiar with this manufacturer, its test equipment and software leading to more efficient and economical testing of the residential, commercial and industrial electric meters;

**NOW, THEREFORE, BE IT RESOLVED**, that the Village of Bath hereby authorizes the purchase of Radian’s electric shop test equipment for fiscal year 2018/2019.

**WHEREUPON**, the Resolution was approved November 20 , 2017.

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Jacqueline Shroyer, Bath Village Clerk

RESOLUTION  
VILLAGE OF BATH BOARD OF TRUSTEES  
BATH, NEW YORK

DATE APPROVED: Monday, November 20, 2017 INTRO. DATE: Monday, November 20, 2017

INTRODUCED BY: Trustee Sweet SECONDED BY: Trustee Coots

VOTE:	Mayor vonHagn	<b>Aye</b>	Nay	Abstain	Absent
	Trustee Glass	Aye	Nay	Abstain	<b>Absent</b>
	Trustee Bardeen	<b>Aye</b>	Nay	Abstain	Absent
	Trustee Sweet	<b>Aye</b>	Nay	Abstain	Absent
	Trustee Coots	<b>Aye</b>	Nay	Abstain	Absent

**WHEREAS**, the Village has committed to converting its manually read meters for its electric, gas, water and sewer utilities to an automated reading (AMR) system

**WHEREAS**, there is a need for the standardization of Itron’s Encoder Receiver Transmitter (ERT) protocol for the Village’s AMR system for the electric, gas, water and sewer utilities, along with the residential, commercial and industrial electric meters in which the ERT is integral to the meter, for reasons of efficiency and economy; said reasons being in part that this same AMR system and these electric meters have been used by the Village for several years and will continue to provide consistent AMR of the electric, gas, water and sewer utilities and reliable electric metering. In addition, the Village employees who work with the AMR system, along with the electric meters, are fully familiar with this AMR system and these electric meters leading to more efficient and economical service of the AMR system and electric meters;

**RESOLVED**, that the Village of Bath hereby authorizes the purchase of Itron’s ERTs and Itron’s residential, commercial and industrial electric meters for fiscal year 2018.

**WHEREUPON**, the Resolution was approved November 20 , 2017.

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Jacqueline Shroyer, Bath Village Clerk

**Accept Resignation for Part-Time Police Officer:**

Motion made by Trustee Sweet, seconded by Trustee Bardeen to accept the resignation of Part Time Police Officer, Casey Chatley, effective October 30, 2017. All present were in favor and the motion was carried.

**Resolution for Part Time Police Officer:**

RESOLUTION  
VILLAGE OF BATH BOARD OF TRUSTEES  
BATH, NEW YORK

DATE APPROVED: Monday, November 20, 2017 DATE: Monday, November 20, 2017

INTRODUCED BY: Trustee Bardeen 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 Matthew Lehman 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 Matthew Lehman be appointed to the position of part-time police officer commencing Tuesday, November 7, 2017;

WHEREAS, Matthew Lehman 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, Matthew Lehman 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, Matthew Lehman’s probationary period will commence on Tuesday, November 7, 2017;

BE IT RESOLVED, that the Village of Bath Board of Trustees is hereby appointing Matthew Lehman, effective Tuesday, November 20, 2017 to the position of Part-time Police Officer contingent on the aforementioned stipulations.

**Resolution for MOU – Jackson Temp Full Time:**

RESOLUTION  
VILLAGE OF BATH BOARD OF TRUSTEES  
BATH, NEW YORK

DATE APPROVED: Monday, November 20, 2017 INTRO. DATE: Monday, November 20, 2017

INTRODUCED BY: Trustee Bardeen SECONDED BY: Trustee Sweet

VOTE:	Mayor vonHagn	<b>Aye</b>	Nay	Abstain	Absent
	Trustee Glass	Aye	Nay	Abstain	<b>Absent</b>
	Trustee Bardeen	<b>Aye</b>	Nay	Abstain	Absent
	Trustee Sweet	<b>Aye</b>	Nay	Abstain	Absent
	Trustee Coots	Aye	Nay	<b>Abstain</b>	Absent

TITLE: Resolution authorizing Bath Police Chief Chad R. Mullen to appoint Part-time Police Officer Michael Jackson 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, Wednesday, December 13th, 2017, 1 full-time uniformed police officer will be out on family medical leave and this staff shortage will have a significant impact on the police department.

WHEREAS, the Bath Village Chief of Police and the PBA have cooperatively worked out a Memorandum of Understanding (MOU) that allows for Part-time Police Officer Michael Jackson to be appointed to the position of “Temporary Full-Time Police Officer”, effective Wednesday, December 13th, 2017, to cover the shift of a full-time police officer that is anticipated to be out on family medical leave for approximately Four (4) Weeks and Officer Jackson will remain in that position for the duration of the full-time police officer’s absence.

WHEREAS, the Bath Village Board of Trustees have entered into the aforementioned Memorandum of Understanding with the Bath Police Benevolent Association allowing Part-time Police Officer Michael Jackson to be appointed to the position of temporary full-time police officer.

BE IT RESOLVED, that the Village of Bath Board of Trustees is hereby authorizing Police Chief Chad R. Mullen to appoint Part-time Police Officer Michael Jackson to the Temporary Full-time Position of Police Officer, consistent with the stipulations of the aforesaid Memorandum of Understanding and Steuben County Civil Service Rules and Regulations.

**Adjourn Regular Meeting/Executive Session:**

Motion made by Trustee Sweet, seconded by Trustee Coots to adjourn the regular meeting of the Board of Trustees of the Village of Bath at 7:30 p.m. to go into executive session for personnel and contracts. All present were in favor and the motion was carried.

**Return to Regular Session:**

Motion made by Trustee Sweet, seconded by Trustee Bardeen to return to regular session at 7:45 p.m. All present were in favor and the motion was carried.

**Dental Insurance Plan for Police Department:**

Motion made by Trustee Bardeen, seconded by Trustee Coots to approve the 2018 Dental Blue Options Alternate Plan #1 for dental insurance for the Police Department. This plan is one that the Police union had picked to join as their current plan will no longer be available. All present were in favor and the motion was carried.

**Adjournment:**

Motion made by Trustee Coots, seconded by Trustee Sweet to adjourn the regular meeting at 7:46 p.m. All present were in favor and the motion was carried.

Respectfully submitted by:

Jacqueline Shroyer  
Clerk/Treasurer