

**OFFICIAL MINUTES OF THE BOARD OF TRUSTEES
FOR THE VILLAGE OF BATH
REGULAR MEETING
SEPTEMBER 17, 2018**

This meeting of the Board of Trustees of the Village of Bath was held on the 17th day of September 2018 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 5:32 p.m.

Present:

Mayor:	William von Hagn	Police Chief:	Chad Mullen
Deputy Mayor/Trustee:	Jeanne Glass	Fire Chief:	Robin Havens
Trustee:	Mike Sweet	Attorney:	Aaron Mullen
Trustee:	Melanie Coots	Street Asst. Super:	Michael Bly
Trustee:	Mark Bardeen	Code Enforcement:	Bradley Hill
Clerk/ Treasurer:	Jacqueline Shroyer		
BEGWS Admin Asst:	Samantha Voss		

Absent:

Street Supervisor:	Thomas Gutow
BEGWS Director:	Erin Bonacci

Correspondence:

Memorial Day 5K Run/Walk:

Motion made by Trustee Sweet, seconded by Trustee Coots to approve the request for SYED Fitness to have a Memorial Day 5K Run in Bath. 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 \$439,405.97. All present were in favor and the motion was carried.

Department Head Reports:

Thomas Gutow, Street Superintendent:

Street Report was received.

Chad Mullen, Police Chief:

Police Report was received.

Motion made by Trustee Coots, seconded by Trustee Glass to approve Criminal Investigator, Colin Taft, to attend training on September 18 and 19, 2018, which the village will only have to pay for meals. All present were in favor and the motion was carried.

Motion made by Trustee Coots, seconded by Trustee Sweet to approve Chief of Police, Chad Mullen, to attend Executive Leadership Training on October 3 and 4, 2018 at a cost of \$25 per day. All present were in favor and the motion was carried.

Mayor von Hagn wanted to recognize Investigator Taft for a great job he's doing and thank him for the extra efforts.

Bradley Hill, 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 Sweet, seconded by Trustee Bardeen to approve the Budget Transfer for \$15,571.88 from A1990.4 Contingent Account to A1940.2 Purchase of Land/Right of Way – Equip & Cap Out for the purchase of the Langendorfer Property approved by the board. All present were in favor and the motion was carried.

Committee Reports:

Trustee Sweet:

Motion made by Trustee Coots, seconded by Trustee Glass to approve the Chamber of Commerce event of trunk or treat at Pulteney Park on October 31, 2018 from 6-8 p.m. with registrations for those participating. All present were in favor and the motion was carried.

New Business:

Historical Signs – Walking Audio Tour:

Motion made by Trustee Sweet, seconded by Trustee Glass to authorize the Street Department to purchase the poles and put signs up for the historical society for their walking tour. All present were in favor and the motion was carried.

137 E Washington Street Taxes:

Motion made by Trustee Sweet, seconded by Trustee Bardeen to approve the cancellation of the 2018-2019 taxes for 137 E. Washington Street for \$1,094.25 as the property was conveyed to a tax exempt owner, Steuben County/Steuben County Land Bank, as of May 8, 2017. All present were in favor and the motion was carried.

ID Badges:

Motion made by Trustee Glass, seconded by Trustee Sweet to spend up to \$150 for ID Badges for Village of Bath Employees. All present were in favor and the motion was carried.

Close CD 902050231:

RESOLUTION
VILLAGE OF BATH BOARD OF TRUSTEES
BATH, NEW YORK

DATE APPROVED: Monday, September 17, 2018 INTRO. DATE: Monday, September 17, 2018

INTRODUCED BY: Trustee Glass SECONDED BY: Trustee Bardeen

VOTE:	Mayor vonHagn	Aye	Nay	Abstain	Absent
	Trustee Glass	Aye	Nay	Abstain	Absent
	Trustee Bardeen	Aye	Nay	Abstain	Absent
	Trustee Coots	Aye	Nay	Abstain	Absent
	Trustee Sweet	Aye	Nay	Abstain	Absent

TITLE: Close CD 902050231 with Chemung Canal Trust Company

RESOLVED, that the Current Certificate of Deposit Number 902050231 (Named Village of Bath) of the Village of Bath maintained with Chemung Canal Trust Company be closed when the CD matures and the said bank be and is hereby instructed to refund the balance amount, if any lying in the said CD through a check made payable to Village of Bath.

RESOLVED FURTHER, that Mrs. Jacqueline Shroyer, Clerk/Treasurer of the Village of Bath be and is hereby authorized to sign and execute all such documents for closing the said certificate of deposit.

RESOLVED FURTHER, that the balances from the CD be placed in a higher interest shorter term CD at Five-Star Bank.

RESOLVED FURTHER, that a Certified True Copy of this resolution be forwarded to the bank under the signature of Mrs. Jacqueline Shroyer, Village of Bath Clerk.

September 17, 2018

Jacqueline Shroyer, Village Clerk

Close CD 902049653:

RESOLUTION
VILLAGE OF BATH BOARD OF TRUSTEES
BATH, NEW YORK

DATE APPROVED: Monday, September 17, 2018 INTRO. DATE: Monday, September 17, 2018

INTRODUCED BY: Trustee Sweet SECONDED BY: Trustee Glass

VOTE:	Mayor vonHagn	Aye	Nay	Abstain	Absent
	Trustee Glass	Aye	Nay	Abstain	Absent
	Trustee Bardeen	Aye	Nay	Abstain	Absent
	Trustee Coots	Aye	Nay	Abstain	Absent
	Trustee Sweet	Aye	Nay	Abstain	Absent

TITLE: Close CD 902049653 with Chemung Canal Trust Company

RESOLVED, that the Current Certificate of Deposit Number 902049653 (Named Village of Bath) of the Village of Bath maintained with Chemung Canal Trust Company be closed when the CD matures and the said bank be and is hereby instructed to refund the balance amount, if any lying in the said CD through a check made payable to Village of Bath.

RESOLVED FURTHER, that Mrs. Jacqueline Shroyer, Clerk/Treasurer of the Village of Bath be and is hereby authorized to sign and execute all such documents for closing the said certificate of deposit.

RESOLVED FURTHER, that the balances from the CD be placed in a higher interest shorter term CD at Five-Star Bank.

RESOLVED FURTHER, that a Certified True Copy of this resolution be forwarded to the bank under the signature of Mrs. Jacqueline Shroyer, Village of Bath Clerk.

September 17, 2018

Jacqueline Shroyer, Village Clerk

Close CD 902049015:

RESOLUTION
VILLAGE OF BATH BOARD OF TRUSTEES
BATH, NEW YORK

DATE APPROVED: Monday, September 17, 2018 INTRO. DATE: Monday, September 17, 2018

INTRODUCED BY: Trustee Bardeen SECONDED BY: Trustee Glass

VOTE:	Mayor vonHagn	Aye	Nay	Abstain	Absent
	Trustee Glass	Aye	Nay	Abstain	Absent
	Trustee Bardeen	Aye	Nay	Abstain	Absent
	Trustee Coots	Aye	Nay	Abstain	Absent
	Trustee Sweet	Aye	Nay	Abstain	Absent

TITLE: Close CD 902049015 with Chemung Canal Trust Company

RESOLVED, that the Current Certificate of Deposit Number 902049015 (Named Village of Bath, Bath Electric and Gas) of the Village of Bath maintained with Chemung Canal Trust Company be closed when the CD matures and the said bank be and is hereby instructed to refund the balance amount, if any lying in the said CD through a check made payable to Village of Bath.

RESOLVED FURTHER, that Mrs. Jacqueline Shroyer, Clerk/Treasurer of the Village of Bath be and is hereby authorized to sign and execute all such documents for closing the said certificate of deposit.

RESOLVED FURTHER, that the balances from the CD be placed in a higher interest shorter term CD at Five-Star Bank.

RESOLVED FURTHER, that a Certified True Copy of this resolution be forwarded to the bank under the signature of Mrs. Jacqueline Shroyer, Village of Bath Clerk.

September 17, 2018

Jacqueline Shroyer, Village Clerk

Close CD 902049652:

RESOLUTION
VILLAGE OF BATH BOARD OF TRUSTEES
BATH, NEW YORK

DATE APPROVED: Monday, September 17, 2018 INTRO. DATE: Monday, September 17, 2018

INTRODUCED BY: Trustee Coots SECONDED BY: Trustee Sweet

VOTE:	Mayor vonHagn	Aye	Nay	Abstain	Absent
	Trustee Glass	Aye	Nay	Abstain	Absent
	Trustee Bardeen	Aye	Nay	Abstain	Absent
	Trustee Coots	Aye	Nay	Abstain	Absent
	Trustee Sweet	Aye	Nay	Abstain	Absent

TITLE: Close CD 902049652 with Chemung Canal Trust Company

RESOLVED, that the Current Certificate of Deposit Number 902049652 (Named Village of Bath) of the Village of Bath maintained with Chemung Canal Trust Company be closed when the CD matures and the said bank be and is hereby instructed to refund the balance amount, if any lying in the said CD through a check made payable to Village of Bath.

RESOLVED FURTHER, that Mrs. Jacqueline Shroyer, Clerk/Treasurer of the Village of Bath be and is hereby authorized to sign and execute all such documents for closing the said certificate of deposit.

RESOLVED FURTHER, that the balances from the CD be placed in a higher interest shorter term CD at Five-Star Bank.

RESOLVED FURTHER, that a Certified True Copy of this resolution be forwarded to the bank under the signature of Mrs. Jacqueline Shroyer, Village of Bath Clerk.

September 17, 2018

Jacqueline Shroyer, Village Clerk

Open CD Resolution:

RESOLUTION
VILLAGE OF BATH BOARD OF TRUSTEES
BATH, NEW YORK

DATE APPROVED: Monday, September 17, 2018 INTRO. DATE: Monday, September 17, 2018

INTRODUCED BY: Trustee Bardeen SECONDED BY: Trustee Sweet

VOTE:	Mayor vonHagn	Aye	Nay	Abstain	Absent
	Trustee Glass	Aye	Nay	Abstain	Absent
	Trustee Bardeen	Aye	Nay	Abstain	Absent
	Trustee Coots	Aye	Nay	Abstain	Absent
	Trustee Sweet	Aye	Nay	Abstain	Absent

TITLE: Open Certificate of Deposits for the Sewer Capital, Sewer Repair and the Utility Holding Accounts.

RESOLVED, that the Clerk/Treasurer, Jacqueline Shroyer, of the Village of Bath is authorized and directed to establish three Certificate of Deposits with Five Star Bank and deposit the funds for the Sewer Capital, Sewer Repair and the Utility Holding Accounts into separate Certificate of Deposits. The Clerk/Treasurer of the Village of Bath shall have the authority to operate the account on behalf of the Village of Bath.

RESOLVED FURTHER, that Mrs. Jacqueline Shroyer, Clerk/Treasurer of the Village of Bath be and is hereby authorized to sign and execute all such documents for opening the said certificate of deposits.

RESOLVED FURTHER, that moneys from (leaving a small balance) the Sewer Capital, Sewer Repair and the Utility Holding Accounts be placed in the highest interest short term CD at Five-Star Bank as possible.

RESOLVED FURTHER, that a Certified True Copy of this resolution be forwarded to the bank under the signature of Mrs. Jacqueline Shroyer, Village of Bath Clerk.

September 17, 2018

Jacqueline Shroyer, Village Clerk

Approve Erin Bonacci Probationary Period:

Motion made by Trustee Coots, seconded by Trustee Sweet to approve Director of Municipal Utilities, Erin Bonacci, probationary period to be complete and satisfactory after 13 weeks. All present were in favor and the motion was carried.

Halloween October 31, 2018 from 6-8 p.m.:

Motion made by Trustee Glass, seconded by Trustee Bardeen to approve Halloween Trick or Treating to take place on October 31, 2018 from 6-8 p.m. All present were in favor and the motion was carried.

Justice Court Grant Resolution:

Municipal Resolution

Authorization of the Bath Village Court to apply for a 2018 Justice Court Assistance Program Grant

I, Jacqueline Shroyer, Clerk of the Village of Bath, 110 Liberty Street, Bath, NY 14810 do hereby certify that the following resolution was adopted at a meeting of the Village Board held on September 17, 2018, and is incorporated in the original minutes of said meeting, and that said resolution has not been altered, amended or revoked and is in full force and effect.

Upon the motion of Trustee Glass, seconded by Trustee Bardeen, and the Mayor and all the Trustees voting as follows:

Mayor William von Hagn	Aye
Trustee Jeanne Glass	Aye
Trustee Michael Sweet	Aye
Trustee Mark Bardeen	Aye
Trustee Melanie Coots	Aye

RESOLVED, that the Bath Village Board does hereby authorize the Bath Village Court to file an application for funds from the New York State Unified Justice Court, in accordance with the provisions of the Justice Court Assistance Program in an amount not to exceed \$30,000, and upon arrival of said request to enter into and execute a project agreement with the State for such financial assistance to the Village of Bath.

Signature of Clerk

Credit Card Resolution:

RESOLUTION
VILLAGE OF BATH BOARD OF TRUSTEES
BATH, NEW YORK

DATE APPROVED: Monday, September 17, 2018 INTRO. DATE: Monday, September 17, 2018

INTRODUCED BY: Trustee Glass SECONDED BY: Trustee Sweet

VOTE:	Mayor vonHagn	Aye	Nay	Abstain	Absent
	Trustee Glass	Aye	Nay	Abstain	Absent
	Trustee Bardeen	Aye	Nay	Abstain	Absent
	Trustee Coots	Aye	Nay	Abstain	Absent
	Trustee Sweet	Aye	Nay	Abstain	Absent

TITLE: Bath Electric, Gas and Water Systems accepting the use of credit cards payments for utility bills.

WHEREAS, Bath Electric, Gas and Water Systems (hereinafter "BEGWS") would like to accept credit card payments for any utility bill.

WHEREAS, BEGWS Commission has recommended to the Village Board the use of accepting credit cards and adopting the following resolution:

The Village Board of Trustee hereby adopts the following resolution in accordance with the terms and definitions currently established under General Municipal Law Section 5,

NOW, THEREFORE BE IT RESOLVED, that it is in the public interest for the BEGWS to enter into agreement(s) with one or more financing agencies or card issuers to provide for the acceptance, by such officers of BEGWS as are designated below in accordance with subdivision (f) of General Municipal Law Section 5, of credit cards (as defined in said municipal law) as a means of payment of fines, civil penalties, rent, rates, taxes, fees, charges, revenue, financial obligations or other amounts, including penalties, special assessments and interest, owed to BEGWS.

BE IT FURTHER RESOLVED, that any such agreement shall govern the terms and conditions upon which a credit card proffered as a means of payment of a fine, civil penalty, rent, rate, tax, fee, charge, revenue, financial obligation or other amount, including penalty, special assessment or interest, shall be accepted or declined and the manner in and conditions upon which the financing agency or card issuer shall pay to BEGWS the amount of fines, civil penalties, rent, rates, taxes, fees, charges, revenue, financial obligations or other amounts, including penalty, special assessment or interest, paid by means of a credit card pursuant to such agreement.

BE IT FURTHER RESOLVED, that as a condition of accepting payment by credit card, that such person offering payment by credit pay a service fee to BEGWS not exceeding costs incurred by BEGWS in connection with the credit card payment transaction, including any fee owed by BEGWS to the financing agency or card issuer arising from that transaction.

BE IT FURTHER RESOLVED, that contracts entered into pursuant to this resolution between BEGWS and financing agencies or card issuers shall be awarded in accordance with BEGWS's written internal policies and procedures governing procurements.

BE IT FURTHER RESOLVED, that the underlying debt, lien, obligation, bill, account or other amount owed to BEGWS for which payment by credit card is accepted by BEGWS shall not be expunged, cancelled, released, discharged or satisfied, and any receipt or other evidence of payment shall be deemed conditional, until BEGWS has received final and unconditional payment of the full amount due from the financing agency or card issuer for such credit card transaction.

BE IT FURTHER RESOLVED, that the Village Treasurer (hereinafter "Treasurer") is hereby designated as the Officer charged with the duty of collecting or receiving moneys on behalf of BEGWS as a means of payment of fines, taxes, rent, rates, fees, charges, revenue, financial obligations and other amounts, including penalties, special assessments or interest.

BE IT FURTHER RESOLVED, that, to the extent that any such amounts are owed to BEGWS, the Treasurer is hereby authorized to collaborate with the Director of Municipal Utilities (hereinafter "Director") so that the Director may assist the Treasurer in collection of said amounts owed to BEGWS.

BE IT FURTHER RESOLVED, that it is in the public interest and for BEGWS, and BEGWS is hereby authorized to, accept of penalties, rents, rates, taxes, fees, charges, revenue, financial obligations or other amounts, including penalties, special assessments or interest via a municipal internet website or the website of a third-party vendor that has contracted with BEGWS to receive such payments on its behalf. Submission via the internet may not, however, be required as the sole method for the collection of fines, civil penalties, rent, rates, taxes, fees, charges and other amounts. Such payments shall be accepted via the internet in a manner and condition defined by BEGWS. Any method used to receive internet payments shall comply with article three of the state technology law and any rules and regulations promulgated and guidelines developed thereunder and, at a minimum must (a) authenticate the identity of the sender; and (b) ensure the security of the information transmitted.

BE IT FURTHER RESOLVED, that for any taxes paid via the internet, the Village of Bath shall provide or direct its vendor to provide a confirmation page to the taxpayer following the completion of the internet transaction. Such confirmation page shall include, at least, the following:

- (a) the date the internet transaction was completed and sent by the taxpayer;
- (b) the amount paid;
- (c) a unique confirmation number; and
- (d) a notice advising the taxpayer to print out and retain the confirmation page as his or her receipt.

BE IT FURTHER RESOLVED, that payments received via the internet shall be considered received by the appropriate officer and paid by the taxpayer at the time the internet transaction is completed and sent by the taxpayer.

BE IT FURTHER RESOLVED, that the underlying debt, lien, obligation, bill, account or other amount owed to BEGWS for which payment by internet is accepted by BEGWS shall not be expunged, cancelled, released, discharged or satisfied, and any receipt or other evidence of payment shall be deemed conditional, until BEGWS has received final and unconditional payment of the full amount due.

BE IT FURTHER RESOLVED, that the Village Treasurer is hereby designated as the Village Officer charged with collecting or receiving monies who is authorized to collect those amounts via the internet. And it is further resolved that, to the extent that any such amounts are owed to BEGWS, the Treasurer is hereby authorized to collaborate with the Director so that the Director may assist the Treasurer in collection of said amounts owed to BEGWS via internet.

BE IT FURTHER RESOLVED, that any further guidance given by the state comptroller with respect to sections 5 and 5-b of the General Municipal Law shall be complied with by BEGWS.

BE IT FURTHER RESOLVED, that no agreements to accept credit card payments or to create an internet website to allow for the receipt of credit card payments shall be entered into by BEGWS without (a) first going through proper procurement procedures and (b) any such proposed agreement(s) being accepted by resolution from the Village of Bath Board of Trustees.

The foregoing Resolution was thereon declared duly adopted.

September 17, 2018

Jacqueline Shroyer, Village Clerk

Adjourn Regular Meeting/Executive Session:

Motion made by Trustee Sweet, seconded by Trustee Bardeen to adjourn the regular meeting of the Board of Trustees of the Village of Bath at 6:35 p.m. to go into executive session for contracts and personnel. 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 6:50 p.m. 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 6:54 p.m. All present were in favor and the motion was carried.

Respectfully submitted by:

Jacqueline Shroyer
Clerk/Treasurer