

REGULAR MEETING

December 9, 2013

The Regular Meeting of the Town Board of the Town of New Bremen, County of Lewis and the State of New York was held at the Town Municipal Office Building, 8420 State Rte. 812, New Bremen, New York on the 9<sup>th</sup> day of December 2013.

Town Officer's Present: Peter J. Keys, Supervisor  
David L. Becker, Councilman  
Matthew E. Bush, Councilman  
Ralph L. Bush, Councilman  
Susan J. Sauer, Councilwoman  
Elizabeth B. Jones, Clerk  
Errol A. Aucter, Justice  
Aimee L. Murphy, Deputy Clerk/Court Clerk

Attended by: Approximately 8 people

Supervisor Keys called the meeting to order at 6:02 p.m. with the Pledge to the Flag.

**RESOLUTION NO. 144 OF 2013  
APPROVAL OF MINUTES**

On a motion of Councilman M. Bush, seconded by Councilman Becker, the following resolution was  
ADOPTED Ayes 5 Becker, M. Bush, R. Bush, Sauer, Keys Nays 0

Resolved the minutes of the November 11, 2013 meetings are approved.

**PRIVILEGE OF FLOOR**

Joanne Dicob reported to the Board that Highway Superintendent Hall does not want a retirement party.

**COUNCIL REPORTS**

Councilman Becker reported receiving several complaints from residents that the new Assessor, Robert Ball is not holding office hours as posted. Sheila Buckingham stated she has left him messages and emails and has not responded. The Clerk and Court Clerk have also received many complaints from residents. Supervisor Keys will contact Mr. Ball about the situation.

**RESOLUTION NO. 145 OF 2013  
HONORING RALPH BUSH**

On a motion of Supervisor Keys, seconded by Councilman Becker, the following resolution was adopted,  
ADOPTED Ayes 5 Becker, M. Bush, Sauer, Keys Nays 0

Whereas, Ralph Bush, Councilman, whose term will end December 31, 2013 after eight years of service to the Town of New Bremen, and

Whereas, he served the Town of New Bremen since January 1, 2006, and

Whereas, his genuine concern for the well-being of the Town of New Bremen, employees and members of the Town Board reflected his unabiding respect for his colleagues, and

(Regular Meeting of December 9, 2013 con't.)

Whereas, throughout his years of service, Ralph has served the people of this town with fairness and dedication, and now therefore be it

Resolved, that we, the Members of the Town Board, do hereby extend to Ralph Bush our sincere and grateful appreciation for his dedicated service to the Town of New Bremen, and our best wishes to him for continued success, happiness, and good health in the years to come.

#### **FIT TRAIL**

Councilwoman Sauer submitted/reviewed her financial report on the Fit Trail. Copy of said report is incorporated at the end of these minutes.

#### **INSURANCE UPDATE**

Bill Schaab, North Country Estates, reviewed the 2014 insurance policy with the Board and answered any questions they had. The cost for 2014 coverage will be \$18,998.34 a decrease from 2013. Mr. Schaab also pointed out several discrepancies in the quote submitted by Kevin Townsend, Eastern Shore Associates Insurance/NYMIR. Mr. Schaab left at 6:32 p.m. After discussion the following resolution was presented.

#### **RESOLUTION NO. 146 OF 2013 INSURANCE**

On a motion of Councilman R. Bush, seconded by Councilman M. Bush, the following resolution was adopted,  
ADOPTED Ayes 5 Becker, M. Bush, R. Bush, Sauer, Keys Nays 0

Resolved, the Town Board wishes to continue insurance coverage with North Country Estates

#### **OPENING OF PUBLIC HEARING**

The Public Hearing for the renewal of the New Bremen Fire Protection Contract with the Croghan Volunteer Fire Dept. Inc., was declared open at 6:37 p.m. with the clerk presenting Proof of Publication in the Journal & Republican.

#### **CLOSE OF PUBLIC HEARING**

There were no questions or comments by the public pertaining to the renewal of the New Bremen Fire Protection contract. Therefore, the public hearing was hereby closed at 6:40 p.m. by Supervisor Keys.

#### **RESOLUTION NO. 147 OF 2013 NEW BREMEN FIRE PROTECTION DISTRICT CONTRACT**

On a motion of Councilman M. Bush, seconded by Councilman R. Bush, the following resolution was adopted,

Be It Resolved, that the Town of New Bremen does hereby renew the agreement with the Croghan Volunteer Fire Department, Inc., and the Village of Croghan to furnish fire protection to the Town of New Bremen, known as the New Bremen Fire Protection District, and be it

Further Resolved, that the Croghan Volunteer Fire Department, Inc. shall receive \$16,275.00 a year during the term of the contract, and be it

(Regular Meeting of December 9, 2013 con't.)

Further Resolved, that the contract effective dates shall be from January 1, 2014 through December 31, 2015, unless terminated as per agreement.

**RESOLUTION NO. 148 OF 2013  
TOWN CLERK'S MONTHLY REPORT**

On a motion of Councilman Becker, seconded by Councilman R. Bush, the following resolution was  
ADOPTED Ayes 5 Becker, M. Bush, R. Bush, Sauer, Keys Nays 0

Resolved the Town Clerk's monthly report is approved as submitted.

**KEY BANK**

Jill Bush, Manager of Key Bank in Croghan spoke with Clerk Jones about four (4) of the Town accounts that receive monthly fees because they do not keep a \$2500 required balance at all times: Town Clerk, Tax Collector and both Justice accounts. She stated after January 1, 2014 Key Bank will no longer "waive" the monthly fees for "all" municipalities. It will cost the Town approximately \$1500 a year in fees for these four accounts. It was suggested to look in to Community Bank in Lowville to see what they offer, even though it will cost the Town more in mileage for the Clerk and Judges to make the deposits.

**FUEL BID OPENING**

The Town Clerk presented Proof of Publication in the Journal & Republican for sealed bids for Diesel Fuel and Regular Unleaded Gas. One bid was received and is as follows:

	<u>Diesel Fuel</u>	<u>Unleaded Gas</u>
Simpson Fuel	3.4244	2.9751

**RESOLUTION NO. 149 OF 2013  
FUEL PURCHASE FOR 2014 YEAR**

On a motion of Councilman R. Bush, seconded by Councilman M. Bush, the following resolution was  
ADOPTED Ayes 5 Becker, M. Bush, R. Bush, Sauer, Keys Nays 0

Be It Resolved, to accept the fuel bid from Simpson Fuel for the year 2014.

**RESOLUTION NO. 150 OF 2013  
COUNTY SNOW AND ICE CONTROL AGREEMENT**

On a motion of Councilman M. Bush, seconded by Councilman Becker, the following resolution was  
ADOPTED Ayes 5 Becker, M. Bush R. Bush, Sauer, Keys Nays 0

Whereas the Board of Legislators of Lewis County adopted Resolution #461 on November 19, 2013 designating the improved roads of the County Road System of the County from which snow and ice should be removed there from, and

Whereas the County Superintendent of Highways was authorized to enter into agreement with the Towns for the aforementioned purpose during the fiscal year of 2014 at the rates as specified in the Agreement, now therefore, be it

(Regular Meeting of December 9, 2013 con't.)

Resolved that the Town Superintendent of Highways of the Town of New Bremen, Lewis County be and hereby is authorized and directed to enter into agreement with the County of Lewis to remove snow and ice from the improved County Road System as shown on the agreement filed in the Clerk's office.

**RESOLUTION NO. 151 OF 2013  
HONORING RALPH "BUB" HALL ON HIS RETIRMENT**

On a motion of Supervisor Keys, seconded by Councilman R. Bush, the following resolution was adopted,  
ADOPTED Ayes 5 Becker, M. Bush, R. Bush, Sauer, Keys Nays 0

Whereas, Ralph H. Hall, Highway Superintendent, will retire on December 31, 2013 after forty-two years of meritorious service to the Town of New Bremen, and

Whereas, he served the Town of New Bremen with great distinction since January 1, 1972, and

Whereas, his genuine concern for the well-being of the Town of New Bremen, employees and members of the Town Board reflected his unabiding respect for his colleagues, and

Whereas, throughout his many years of service, Ralph has served the people of this town with fairness and dedication, and now therefore be it

Resolved, that we, the Members of the Town Board, do hereby extend to Ralph H. Hall our sincere and grateful appreciation for his dedicated service to the Town of New Bremen, our congratulations on his well-earned retirement, and our best wishes to him for continued success, happiness, and good health in the years to come.

**RESOLUTION NO. 152 OF 2013  
HIGHWAY EMPLOYEE WAGES SET**

On a motion of Councilman Becker, seconded by Councilwoman Sauer, the following resolution was  
ADOPTED Ayes 5 Becker, M. Bush, R. Bush, Sauer, Keys Nays 0

Be It Resolved that the Deputy Hwy. Superintendent will receive \$17.50 per hour, MEO operators to receive \$17.00 per hour, Laborer to receive \$16.00 per hour, New Hires to receive \$15.00 per hour (until 6 mos. Probationary period is met), Part-time MEO operator with CDL License to receive \$17.00 per hour, Part-time Laborer to receive \$13.50 per hour.

**RESOLUTION NO. 153 OF 2013  
JUSTICES MONTHLY REPORTS**

On a motion of Councilman M. Bush, seconded by Councilwoman Sauer, the following resolution was  
ADOPTED Ayes 5 Becker, M. Bush, R. Bush, Sauer, Keys Nays 0

Resolved the Justices monthly reports are approved as submitted.

**DCO**

NYS Department of Agriculture & Markets completed a DCO inspection on 11/21/2013. The report indicated DCO services were rated satisfactory and is subject to inspection on a regular basis.

## **ASSESSOR**

Assessor Ball asked for permission to search for and hire a data collector. He also asked for permission to purchase a new laptop and submitted two quotes to Supervisor Keys. It was suggested that before the Board approves anything Mr. Ball needs to make more effort to be here for our residents.

## **COUNTY UPDATE**

Legislator Boyd stated the County will be receiving \$6 million in grant money for a new emergency radio system.

### **RESOLUTION NO. 154 OF 2013 HONORING JOHN O. BOYD**

On a motion of Supervisor Keys seconded by Councilman R. Bush, the following resolution was adopted,  
ADOPTED Ayes 5 Becker, M. Bush, R. Bush, Sauer, Keys Nays 0

Whereas, John Boyd, Lewis County Legislator, whose term will end December 31, 2013 after twelve years of service to the County of Lewis, and

Whereas, he served the County of Lewis since January 1, 2002, and

Whereas, throughout his years of service, John has served the people of this county and town with fairness and dedication, and now therefore be it

Resolved, that we, the Members of the Town Board, do hereby extend to John O. Boyd our sincere and grateful appreciation for his dedicated service to the County of Lewis and Town of New Bremen, and our best wishes to him for continued success, happiness, and good health in the years to come.

## **ZONING BOARD**

Zoning Board of Appeals member, Dale Moser's term of office ends 12/31/13. He is not interested in being reappointed. There are now two (2) vacancies on the ZBA.

## **PLANNING BOARD**

Planning Board member, Mitchell Fidler's term of office ends 12/31/13. He is not interested in being reappointed. There is one (1) vacancy on the PB.

## **NO. 3 WATER DISTRICT**

Water Commissioner, Brenda Dicob's term of office ends on 12/31/13 and she is interested in being reappointed. After discussion the following resolution was presented.

(Regular Meeting of December 9, 2013 con't.)

**RESOLUTION NO. 155 OF 2013  
WATER COMMISSIONER REAPPOINTMENT FOR  
NO. 3 WATER DISTRICT**

On a motion of Councilman R. Bush, seconded by Councilman M. Bush, the following resolution was  
ADOPTED Ayes 5 Becker, M. Bush, R. Bush, Sauer, Keys Nays 0

Whereas the office of Water Commissioner for the No. 3 Water District held by Brenda Dicob, expires on December 31, 2013, now therefore

Be It Resolved that Brenda Dicob is hereby reappointed as Commissioner of the No. 3 Water District for a 3 year term effective 1/1/14 thru 12/31/2016.

**AUDIT COMMITTEE**

Supervisor Keys stated that a two (2) person committee needs to be formed for the purpose of auditing 2012 accounting records for the Supervisor/CFO, Town Clerk, Tax Collector and Justice Court. Councilman Elect Aucter and Councilwoman Sauer volunteered to be the committee.

**IROQUOIS GAS TAX CHALLENGE**

County Attorney, Richard Graham sent a copy of an Inter-Municipal Cooperation Agreement pertaining to the Iroquois Gas Tax Challenge detailing the sharing of defense costs between the parties involved. After discussion the following resolution was presented.

**RESOLUTION NO. 156 OF 2013  
AUTHORIZING INTER-MUNICIPAL COOPERATION AGREEMENT**

On a motion of Councilman M. Bush, seconded by Councilwoman Sauer, the following resolution was  
ADOPTED Ayes 5 Becker, M. Bush, R. Bush, Sauer, Keys Nays 0

Resolved, that the Town Board of the Town of New Bremen did adopt the Inter-Municipal Cooperation Agreement regarding the Iroquois Tax Certiorari Proceeding on December 9, 2013. A copy of said agreement is incorporated at the end of these minutes and to be filed in the Town Clerk's office.

**SITE PLAN REVIEW**

Councilman R. Bush spoke with Vinny Purpura pertaining to his proposed metal recycling facility. Mr. Purpura stated he received copies of information from Clerk Jones that he requested and forwarded to his attorney. He will inform the Town Board of his decision as soon as he discusses it with his attorney.

**SNOW BELT HOUSING**

A letter from Snow Belt Housing was presented by Supervisor Keys stating they are applying for funds from the North Country HOME Consortium for a program entitled "Scattered Sites of Lewis County" which would benefit low and moderate income residents of the Town of New Bremen. They are asking for the Boards support of this grant. After discussion the following resolution was presented.

(Regular Meeting of December 9, 2013 con't.)

**RESOLUTION NO. 157 OF 2013  
SNOW BELT HOUSING'S APPLICATION FOR GRANT MONIES**

On a motion of Councilman Becker, seconded by Councilwoman Sauer, the following resolution was  
ADOPTED Ayes 5 Becker, M. Bush, R. Bush, Sauer, Keys Nays 0

Whereas the Town Board of the Town of New Bremen supports Snow Belt Housing's application to the North Country HOME Consortium for a owner-occupied rehabilitation program due to benefit our Town, now, therefore be it

Resolved that the Town Board of the Town of New Bremen authorizes Snow Belt Housing Company, Inc. to submit an application on behalf of the Town of New Bremen for grant funding through the North Country HOME Consortium.

**RESOLUTION NO. 158 OF 2013  
WAGES SET FOR APPOINTED OFFICIALS**

On a motion of Councilman M. Bush, seconded by Councilman Becker, the following resolution was  
ADOPTED Ayes 5 Becker, M. Bush, R. Bush, Sauer, Keys Nays 0

Be It Resolved that the Deputy Town Clerk is to receive \$12.50 per hour and the Court Clerk is to receive \$12.50 per hour effective January 1, 2014.

**ORGANIZATIONAL MEETING & SWEAR IN CEREMONY**

Organizational meeting and swear in of elected and appointed officials will be January 6, 2013 at 6:30 p.m.

**RESOLUTION NO. 159 OF 2013  
SUPERVISOR'S MONTHLY REPORT**

On a motion of Councilman M. Bush, seconded by Councilman Becker, the following resolution was  
ADOPTED Ayes 5 Becker, M. Bush, R. Bush, Sauer, Keys Nays 0

Resolved the Supervisor's monthly report is approved as submitted.

**RESOLUTION NO. 160 OF 2013  
AUDIT OF CLAIMS**

On a motion of Councilman M. Bush, seconded by Councilman R. Bush, the following resolution was  
ADOPTED Ayes 5 Becker, M. Bush, R. Bush, Sauer, Keys Nays 0

Resolved that Supervisor Keys is authorized and directed to pay the following amounts on Abstract #9 & #12 of 2013 in the following amounts.

General	Voucher #139 thru #147	\$1,070.06
Highway T-Wide	Voucher #148 thru #160	\$5,148.61
Highway T-Outside	Voucher #31	\$200.23

With no further business, on a motion of Councilman Becker, seconded by Councilman R. Bush, the meeting was adjourned at 7:52 p.m. Carried unanimously.

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Elizabeth B. Jones, RMC  
Town Clerk/Tax Collector