

REGULAR MEETING  
December 7, 2015

**DRAFT**

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 7<sup>th</sup> day of December 2015.

Town Officer's Present: Peter J. Keys, Supervisor  
David L. Becker, Councilman  
Susan J. Sauer, Councilwoman  
Joseph E. Aucter, Councilman  
Steven Brooks, Councilman  
Jonathan M. Bush, Highway Superintendent  
Elizabeth B. Jones, Clerk

Attended by: Approximately 7 people

Supervisor Keys called the meeting to order at 6:00 p.m. with the Pledge to the Flag.

**RESOLUTION NO. 121 OF 2015  
APPROVAL OF MINUTES**

On a motion of Councilman Becker, seconded by Councilman Brooks, the following resolution was  
ADOPTED Ayes 5 Becker, Sauer, Aucter, Brooks, Keys Nays 0

RESOLVED, the minutes of the November 9, 2015 meeting are approved.

**PRIVILEGE OF FLOOR**

Supervisor Keys opened the floor for comments. Justin Astafan of the Lewis Co. Search & Rescue gave an update on their takeover of ambulance services for the Croghan Fire Department. He submitted a draft contract for Ambulance Service for the Board to review. A rough cost estimate for ambulance service for the Town for 2016 is \$5800. The Town will need to hold a public hearing before its final approval. They will man the station at the Croghan Fire Department for 12 hours per day; and will be welcoming approximately 4 to 5 of Croghan's EMT's to their team. They will also continue mutual aid with Beaver Falls. Paperwork for their CON is currently at the state level and should be hearing something in a few days. Mr. Astafan also stated they will do a media release after all information is received and they have spoken with all parties involved. Supervisor Keys asked they keep the Board posted and thanked them for attending.

**OPEN PUBLIC HEARING**

The Public Hearing for the renewal of the New Bremen Fire Protection Contract was declared open at 6:22 p.m. with the clerk presenting Proof of Publication in the Journal & Republican.

**CLOSE 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 6:24 p.m. by Supervisor Keys.

**RESOLUTION NO. 122 OF 2015  
NEW BREMEN FIRE PROTECTION DISTRICT CONTRACT**

On a motion of Councilman Becker, seconded by Councilman Brooks, the following resolution was  
ADOPTED Ayes 5 Becker, Sauer, Aucter, Brooks, Keys Nays 0

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

FURTHER RESOLVED, that the contract effective dates shall be from January 1, 2016 through December 31, 2017, unless terminated as per agreement.

**RESCIND LOCAL LAW**

The Town Board adopted Local Law No. 1 of 2015 – To Override the Tax Levy Limit, but ended up staying under the tax cap. Therefore, said local law must be rescinded. After discussion, the following resolution was presented.

**RESOLUTION NO. 123 OF 2015  
SET PUBLIC HEARING FOR PROPOSED  
LOCAL LAW NO. 2 OF 2015 - TO RESCIND AND REPEAL LOCAL NO. 1 OF 2015**

On a motion of Supervisor Keys, seconded by Councilman Becker, the following resolution was  
ADOPTED Ayes 5 Becker, Sauer, Aucter, Brooks, Keys Nays 0

RESOLVED, to hold a Public Hearing on proposed Local Law No. 2 of 2015 – Rescind and Repeal Local Law No. 1 of 2015, on December 28, 2015 at 6:00 p.m. at the Town Municipal Office Building.

**COUNCIL REPORTS**

Councilman Aucter suggested that the Board might want to possibly consider looking in to changing the Site Plan & Review Zoning Law to include solar panels. Supervisor Keys would like more information.

Councilman Brooks is waiting to hear back from Lowe's for the installation of the fencing at the New Bremen Rural Cemetery and still awaiting receipt of the grant funds from the State.

Councilman Becker stated the ropes on the flag poles at the NBRC are broke and asked Highway Superintendent Bush if he would replace them. Mr. Bush will take care of it.

**RESOLUTION NO. 124 OF 2015  
TOWN CLERK'S MONTHLY REPORT**

On a motion of Councilwoman Sauer, seconded by Councilman Becker, the following resolution was  
ADOPTED Ayes 5 Becker, Sauer, Aucter, Brooks, Keys Nays 0

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

**LEASE AGREEMENT**

First Niagara Leasing, Inc. forwarded paperwork along with a Declaration of Official Intent to be approved by the Board. Supervisor Keys signed and returned the said paperwork to First Niagara Leasing, Inc. for final preparation for the financing of the 2016 International 7600 Tandem Dump Truck. He suggested the Board formally approve the agreement. After discussion, the following resolution was presented.

**RESOLUTION NO. 125 OF 2015  
APPROVAL OF DECLARATION OF OFFICIAL INTENT**

On a motion of Councilwoman Sauer, seconded by Councilman Aucter, the following resolution was  
ADOPTED Ayes 5 Becker, Sauer, Aucter, Brooks, Keys Nays 0

RESOLVED, the Town Board of the Town of New Bremen hereby approves the Declaration of Official Intent between the Town of New Bremen and First Niagara Leasing, Inc.

\*Copy of said document is incorporated at the end of these minutes.

**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	1.7582	1.6464

**RESOLUTION NO. 126 OF 2015  
FUEL PURCHASE FOR 2016 YEAR**

On a motion of Councilman Aucter, seconded by Councilman Brooks, the following resolution was  
ADOPTED Ayes 5 Becker, Sauer, Aucter, Brooks, Keys Nays 0

RESOLVED, the Town Board accepts the fuel bid from Simpson Fuel for the year 2016.

**HIGHWAY**

Highway Superintendent Bush asked the Board for permission to advertise the 1984 Tandem Dump Truck through Auctions International with no minimum bid. There is a \$30 posting fee and runs on their website for fourteen (14) days. He feels it will get better coverage than just posting locally. After discussion, the following resolution was presented.

**RESOLUTION NO. 127 OF 2015  
ADVERTISE FOR SALE**

On a motion of Councilman Aucter, seconded by Councilman Brooks, the following resolution was  
ADOPTED Ayes 5 Becker, Sauer, Aucter, Brooks, Keys Nays 0

RESOLVED, that Highway Superintendent Bush is hereby authorized to advertise the 1984 Ford L9000 Tandem Dump Truck through Auctions International.

**NCC SYSTEMS**

At the last meeting, Highway Superintendent Bush reported that NCC Systems did a fire inspection of the buildings and reported the heat detectors in the highway garage are out dated and recommend they be replaced. He received an email from NCC Systems stating that after 15 years from initial installation all devices shall be replaced or two detectors per 100 shall be lab tested. The two shall be replaced with new and if a failure occurs on any of the detectors removed, additional detectors shall be removed and tested. Also discussed CO2 detectors and if we should consider them being installed. Mr. Bush will contact Ward Dailey on regulations for CO2 detectors and get back to the Board with his findings and possible quote on replacing the heat detectors and installing CO2 detectors.

**RESOLUTION NO. 128 OF 2015  
JUSTICES MONTHLY REPORTS**

On a motion of Councilman Aucter, seconded by Councilwoman Sauer, the following resolution was  
ADOPTED Ayes 5 Becker, Sauer, Aucter, Brooks, Keys Nays 0

RESOLVED, the Justices monthly reports are approved as submitted.

**RESOLUTION NO. 129 OF 2015  
DOG CONTROL OFFICER'S MONTHLY REPORT**

On a motion of Councilman Becker, seconded by Councilman Aucter, the following resolution was  
ADOPTED Ayes 5 Becker, Sauer, Aucter, Brooks, Keys Nays 0

RESOLVED, the DCO's monthly report is approved as submitted.

**DCO EXPENSES**

Supervisor Keys received a letter/invoice from Randall Schell, Town of Lowville Supervisor, for Dog Control expenses for 2015, which are being shared with Thirteen (13) Towns and is figured based on population. After review/discussion, the following resolution was presented.

**RESOLUTION NO. 130 OF 2015  
DOG CONTROL EXPENSES FOR 2015 - SHARED SERVICES**

On a motion of Councilman Aucter, seconded by Councilman Becker, the following resolution was  
ADOPTED Ayes 5 Becker, Sauer, Aucter, Brooks, Keys Nays 0

RESOLVED, the Board hereby approves payment of the Town of New Bremen's share of Dog Control expenses for 2015 to the Town of Lowville.

\*Copy of said invoice/agreement is incorporated at the end of these minutes.

**NO. 3 WATER DISTRICT**

Water Commissioner, Francis Dicob's term of office ends on 12/31/15. After discussion, the following resolution was presented.

**RESOLUTION NO. 131 OF 2015  
WATER COMMISSIONER REAPPOINTMENT FOR  
NO. 3 WATER DISTRICT**

On a motion of Councilwoman Sauer, seconded by Councilman Becker, the following resolution was  
ADOPTED Ayes 5 Becker, Sauer, Aucter, Brooks, Keys Nays 0

RESOLVED, that Francis Dicob is hereby reappointed as Commissioner of the No. 3 Water District for a 3 year term effective 1/1/16 thru 12/31/2018. Following is a listing of members with their terms.

Brenda Dicob – 1/1/14 to 12/31/16  
Gwenda Segovs – 1/1/15 to 12/31/17  
Francis Dicob – 1/1/16 to 12/31/18

**PLANNING BOARD**

Randy Aucter's term of office on the Planning Board ends 12/31/15. After discussion, the following resolution was presented.

**RESOLUTION NO. 132 OF 2015  
PLANNING BOARD REAPPOINTMENT**

On a motion of Councilman Brooks, seconded by Councilman Aucter, the following resolution was  
ADOPTED Ayes 5 Becker, Sauer, Aucter, Brooks, Keys Nays 0

RESOLVED, that Randy Aucter is hereby reappointed as a Planning Board Member for a 5 year term effective 1/1/16 thru 12/31/2020. Following is a listing of Planning Board members with their terms.

Sheila Buckingham – 6/10/13 to 12/31/16  
Thomas Schantz – 9/9/13 to 12/31/17  
Samuel Yancey – 1/1/15 to 12/31/19  
Randy Aucter – 1/1/16 to 12/31/20  
1 Vacancy

**ZONING BOARD**

Wayne Birchenough's term of office on the Zoning Board of Appeals ends 12/31/15. There are also 2 vacancies on the three member board and have not generated any interest from the public through advertising. After discussion, the following resolution was presented.

**RESOLUTION NO. 133 OF 2015  
ZONING BOARD OF APPEALS REAPPOINTMENT**

On a motion of Councilwoman Sauer, seconded by Councilman Brooks, the following resolution was  
ADOPTED Ayes 5 Becker, Sauer, Aucter, Brooks, Keys Nays 0

RESOLVED, that Wayne Birchenough is hereby reappointed as a member of the Zoning Board of Appeals for the Town of New Bremen for a Five year term. Term effective 1/01/16 thru 12/31/2020.



**CYBER SECURITY WORKSHOP**

There will be a Cyber Security Workshop at the Lowville Fire Hall on Monday, December 14, 2015. Supervisor Keys and Councilman Brooks plan to attend.

**UNIFORMS**

Supervisor Keys spoke with three (3) different uniform vendors pertaining to pricing for uniform services for highway employees. There is no huge cost difference. Discussed the possibility of a clothing allowance instead. Supervisor Keys will discuss with the highway employees and get back to the Board.

**COUNTY**

Supervisor Keys received a one-time allocation from the County (due to a year-end surplus), in the amount \$9,008.72 in an effort to assist the Town with projects within our communities that may otherwise be neglected.

**SALARY/PAY RATE FOR 2016**

Discussed wages for the highway employees and appointed officials for 2016. After discussion, the following resolution was presented.

**RESOLUTION NO. 134 OF 2015  
SALARY/PAY RATE SCHEDULE FOR 2016 FOR  
HIGHWAY EMPLOYEES, APPOINTED & ELECTED OFFICIALS**

On a motion of Councilman Brooks, seconded by Councilman Becker, the following resolution was ADOPTED Ayes 5 Becker, Sauer, Aucter, Brooks, Keys Nays 0

Supervisor	Peter J. Keys	\$10,000.00	Monthly
Town Clerk	Elizabeth B. Jones	21,300.00	Monthly
Justice	Charles W. Stevens	8,250.00	Monthly
Justice	Errol A. Aucter	8,250.00	Monthly
Highway Supt.	Jonathan M. Bush	43,000.00	Monthly
Councilman	David L. Becker	2,500.00	Quarterly
Councilman	Steven Brooks	2,500.00	Quarterly
Councilman	Joseph E. Aucter	2,500.00	Quarterly
Councilman	Marcus Bush	2,500.00	Quarterly
Assessor	Robert B. Ball	18,775.00	Monthly
Tax Collector	Elizabeth B. Jones	4,725.00	March & June
Health Officer	Sean Harney	400.00	Annual
Historian	Errol A. Aucter	300.00	Annual
Registrar	Elizabeth B. Jones	600.00	Annual (October)
Hwy. Supt. PT Clerk	Elizabeth B. Jones	400.00	Annual (October)
Dog Control Officer	Justin Hall	2,100.00	Monthly

Hourly Appointed Employees

Court Clerk	Aimee L. Murphy	12.90 hr.	Monthly
Deputy Town Clerk	“Vacant”	12.50 hr.	Monthly
Assessor’s P.T. Ast.	David Jones	12.50 hr.	Monthly



Highway Full Time Employees

- Donald L. Glenn - \$18.00 hr. and \$27.00 hr. (O.T.)
- Christian D. Murphy - \$17.50 hr. and \$26.25 hr. (O.T.)
- Thomas J. Lee - \$17.50 hr. and \$26.25 hr. (O.T.)
- Danny L. Grunert - \$17.50 hr. and \$26.25 hr. (O.T.)
- Christopher R. Adams - \$17.50 hr. and \$26.25 hr. (O.T.)

Part Time Highway Employees

- Zachary J. Virkler - \$17.50 hr. and \$26.25 hr. (O.T.)
- Cody P. O'Donnell - \$15.25 hr. and \$22.75 hr. (O.T.)
- Anthony R. Tabolt - \$17.50 hr. and \$26.25 hr. (O.T.)
- Earl F. Boliver - \$17.50 hr. and \$26.25 hr. (O.T.)
- Robert Delles - \$17.50 hr. and \$26.25 hr. (O.T.)
- Stephen W. Jones - \$13.75 hr. (laborer)
- Vern D. Zehr - \$13.75 hr. (laborer)

**RESOLUTION NO. 135 OF 2015  
SUPERVISOR'S MONTHLY REPORT**

On a motion of Councilman Becker, seconded by Councilman Brooks, the following resolution was  
ADOPTED Ayes 5 Becker, Sauer, Aucter, Brooks, Keys Nays 0

RESOLVED, the Supervisor's monthly report is approved as submitted.

**RESOLUTION NO. 136 OF 2015  
AUDIT OF CLAIMS**

On a motion of Councilwoman Sauer, seconded by Councilman Brooks, the following resolution was  
ADOPTED Ayes 5 Becker, Sauer, Aucter, Brooks, Keys Nays 0

RESOLVED, that Supervisor Keys is authorized and directed to pay the following amounts on Abstract #12 of 2015 in the following amounts.

General	Voucher #149 thru #159	\$3,328.75
Highway T-Wide	Voucher #112 thru #122	\$3,239.97

**RESOLUTION NO. 137 OF 2015  
SUSAN J. SAUER  
THANK YOU FOR YOUR SERVICE TO THE TOWN OF NEW BREMEN**

On a motion of Supervisor Keys, seconded by Councilman Becker, the following resolution was  
ADOPTED Ayes 5 Becker, Sauer, Aucter, Brooks, Keys Nays

WHEREAS, she served the Town of New Bremen with great distinction since January 1, 2012, and

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

WHEREAS, throughout her time of service, Susan has served the people of this town with fairness and dedication, and therefore be it

RESOLVED, that we, the Members of the Town Board, do hereby extend to Susan J. Sauer our sincere and grateful appreciation for her service to the Town of New Bremen, and our best wishes to her for continued success, happiness, and good health in the years to come.

**YEAR END MEETING**

The Town Board will hold an end of the year meeting on Monday, December 28, 2015 at 6 p.m. at the Town Municipal Office Building to conduct end of the year business.

With no further business, on a motion of Councilwoman Sauer, seconded by Councilman Becker, the meeting was adjourned at 7:12 p.m. Carried unanimously.

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Elizabeth B. Jones, RMC  
Town Clerk/Tax Collector