

REGULAR MEETING
FEBRUARY 13, 2012

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 13th day of February 2012.

Town Officer's Present: Peter J. Keys, Supervisor
David L. Becker, Councilman
Matthew E. Bush, Councilman
Ralph L. Bush, Councilman
Susan J. Sauer, Councilwoman
Ralph H. Hall, Highway Superintendent
Elizabeth B. Jones, Clerk
Erin C. Gratch, Assessor
Aimee L. Murphy, Deputy Clerk/Court Clerk

Attended by: Approximately 12 people

Supervisor Keys called the meeting to order at 5:15 p.m. with the Pledge to the Flag led by Councilman Becker.

RESOLUTION NO. 27 OF 2012
APPROVAL OF MINUTES

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

Resolved the minutes of the January 5, 9 & 23, 2012 meetings are approved.

PRIVILEGE OF FLOOR

Bruce Widrick, Mayor of the Village of Croghan, asked that contract money for the Croghan Volunteer Fire Department and contracts for ambulance services and fire protection be sent to the Village along with contracts to be approved by the Village also. Clerk Jones will review both contracts to be sure both entities are included in the signing of the contracts. Supervisor Keys stated that this year's contract money is already to be sent to the Village.

COUNCIL MEMBER REPORTS

Councilman R. Bush invited Bill Schaab, Insurance Agent at North Country Estates Ins. Co., to review the Town's insurance policy. Mr. Schaab reviewed the 2012 insurance package with the board and answered their questions or concerns.

Councilwoman Sauer reported she is still working on job descriptions and is having difficulties balancing the Supervisor's bank statements.

The Board audited the Supervisor, Justices, Tax Collector's and Town Clerk's 2011 books on January 27th and 28th. After discussion the following resolution was presented.

(Regular Meeting of February 13, 2012 con't.)

**RESOLUTION NO. 28 OF 2012
AUDIT OF ALL BOOKS**

On a motion of Councilman R. Bush, seconded by Councilman Becker, 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, Lewis County, did on the 27th & 28th day of January 2012 audit and approve all books of accounts of all Town Officers and found them to be in good order, correct and true.

**RESOLUTION NO. 29 OF 2012
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.

ZONING BOARD OF APPEALS

Advertised for interested ZBA members but received no letters of interest. Supervisor Keys asked Councilman M. Bush to contact Mark Lehman, Travis Kuhl and Wayne Birchenough to see if they are interested in serving on the ZBA.

WATER CONTRACT

Supervisor Keys reviewed the 2012 Addendum to Agreement for Water Service between the Village of Croghan and the Beaver Falls Water District.

**RESOLUTION NO. 30 OF 2012
WATER SERVICE CONTRACT**

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 that Supervisor Keys is authorized to sign the 2012 Addendum to Agreement for Water Service between the Village of Croghan and the Beaver Falls Water District; and that a copy of said contract be on file in the Clerk's office.

**RESOLUTION NO. 31 OF 2012
AGREEMENT FOR THE EXPENDITURE OF HIGHWAY MONEYS**

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

Resolved Pursuant to the provisions of Section 284 of the Highway Law we agree that moneys levied and collected in the Town for the repair and improvement of highways, shall be expended as follows:

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General Repairs. The sum of \$334,965.00 shall be set aside to be expended for primary work and general repairs upon 64.73 miles of town highways, including sluices, culverts and bridges having a span of less than five feet and boardwalks or the renewals thereof.

NYSTCA CONFERENCE

Clerk Jones asked for permission to attend the New York State Town Clerk's Association conference being held April 22 – 25, 2012 in Saratoga Springs, New York. After discussion the following resolution was presented.

RESOLUTION NO. 32 OF 2012 NYSTCA CONFERENCE

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 Town Board gives permission for the Town Clerk to attend the NYSTCA Conference in Saratoga Springs April 22-25, 2012.

HIGHWAY SUPERINTENDENT

Mr. Hall asked for permission to advertise for bids for bank run gravel for 2012. He also asked the Board for permission to purchase a new pay loader and trade in the 2003 CAT loader which has 6300 hours on it. He talked with John Deere – offered \$47,500 for trade, CAT – offered \$42,000 for trade & Case – offered \$48,160. CAT has the highest resale value. Discussion followed. The Board decided to table until our next Board meeting and will discuss further. Supervisor Keys will look over the accounting aspect and determine if there is enough money in the budget and where.

RESOLUTION NO. 33 OF 2012 ADVERTISE FOR BANK RUN GRAVEL

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

Resolved that Highway Superintendent Hall is authorized to advertise for bids for bank run gravel in the Journal and Republican for 1 week. Bid opening is set for March 12, 2012 at 5:15 p.m. at the Town Municipal Office Building.

RESOLUTION NO. 34 OF 2012 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.

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**RESOLUTION NO. 35 OF 2012
DOG CONTROL OFFICER'S MONTHLY REPORT**

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 DCO's monthly report is approved as submitted.

COUNTY UPDATE

Legislator Boyd reported that the Lewis Co. Board of Legislators did not vote on the "proposed walking trail" and railroad issue. Joanne Dicob stated she is against the county taking over the railroad and creating a walking trail system. They will get the land and right of way to the property and will be tax exempt. Discussion followed. After discussion the following resolution was presented. Supervisor Keys will send a letter to the Lewis Co. Board of Legislators along with a copy of said resolution.

**RESOLUTION NO. 36 OF 2012
OPPOSING THE LEWIS COUNTY RECREATIONAL TRAIL DEVELOPMENT**

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 Nay 0

Whereas; the County of Lewis is considering creating a Recreational Trail on the Mohawk Adirondack and Northern Railroad, and

Whereas; the Town Board believes it would be of little or no benefit to the residents of the Town of New Bremen and/or the residents of Lewis County, and

Whereas; the Town Board also believes that during these economic times, such expenditures are totally unreasonable and uncalled for, now therefore

Be It Resolved; that the Town Board of the Town of New Bremen opposes the development of the Lewis County Recreational Trail.

SUPERVISOR

Supervisor Keys reported he is having trouble setting up the QuickBooks program. He contacted two local accounting firms for quotes to set up the program and/or for full accounting for the Town. Prices ranged from \$600-\$900 to set up the program for the Supervisor to use himself – by Nagy & Croniser and up to \$500 a month to do all accounting for the Supervisor – by Accounting Essentials. The program is currently on Supervisor Keys personal computer. This could cause FOIL issues, etc. in the future. The board discussed purchasing a laptop for the Supervisor to use for Town purpose only. Assessor Gratch suggested checking with Doug Nagy, IT Director for the county, to obtain a price quote for a new laptop through them. Supervisor Keys will look into it.

CO. HAZARD MITIGATION PLAN

The Lewis Co. Senior Planner, Monique Branagan sent an email asking the Town Board to adopt the County's Hazard Mitigation Plan. After discussion the following resolution was presented and also approved Supervisor Keys and Councilman M. Bush be named to the local hazard mitigation planning committee.

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**RESOLUTION NO. 39 OF 2012
RESCINDING LETTER OF SUPPORT FOR LEWIS CO. SEARCH AND RESUCE**

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 Nay 0

Be It Resolved; that the Town Board of the Town of New Bremen hereby "rescinds" Resolution No. 110 of 2011 in support of the Lewis County Search and Rescue Inc., in their application to update their Certificate of Need for their ambulance certificate.

**RESOLUTION NO. 40 OF 2012
SUPERVISOR'S MONTHLY REPORT**

On a motion of Councilman R. Bush, seconded by Councilwoman Sauer, 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. 41 OF 2012
AUDIT OF CLAIMS & TRANSFERS**

On a motion of Councilwoman Sauer, seconded by Councilman Becker, 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 #2 of 2012 in the following amounts and complete the transfers.

General	Voucher #23 thru #42	\$3,082.50
Highway T-Wide	Voucher #19 thru #34	\$13,710.59
Highway T-Outside	Voucher #3 thru #3	\$38,981.46

\$402.53 to A3310.2 from General Fund Unexpended Balance
\$225.00 to A1010.4 from General Fund Unexpended Balance
\$1,001.66 to A9010.8 from General Fund Unexpended Balance
\$1,001.67 to DA9010.8 from General Fund Unexpended Balance
\$1,001.67 to DB9010.8 from General Fund Unexpended Balance

**RESOLUTION NO. 42 OF 2012
EXECUTIVE SESSION**

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 to move into Executive Session at 7:40 p.m. to discuss pending litigation on an assessment issue with the Adirondack International Speedway, owner Paul Lyndaker.

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**RESOLUTION NO. 43 OF 2012
REGULAR SESSION**

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

Resolved to return to regular session at 8:35 p.m.

BEAVER FALLS LIGHTING

Councilman M. Bush spoke with Korleen Biche and Jason & Erica West, Artz Road, pertaining to the request for a light to be added to the pole near their residences due to a dark spot between the BRCS and Wakefield's store. Both were agreeable of adding a light. After discussion the following resolution was presented.

**RESOLUTION NO. 44 OF 2012
BEAVER FALLS LIGHTING DISTRICT – ADD LIGHT TO POLE NO. 1/6/15**

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

Resolved that the Town Board approved adding a light to Pole No. 1/6/15, located near the Artz Road and Rt. 126 intersection in the Beaver Falls Lighting District and that Assessor Gratch is to contact National Grid to have the light installed.

The next meeting of the Town Board of the Town of New Bremen will be held on March 12, 2012 at 5:15 p.m. at the Town Municipal Office Building.

With no further business, on a motion of Councilman Becker, seconded by Councilman M. Bush, the meeting was adjourned at 8:37 p.m. Carried unanimously.

Elizabeth B. Jones, RMC
Town Clerk/Tax Collector